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FOOD AND DRUGS ACT

NOTICES OF JUDGMENT Nos. 4501-5000

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U. S. DEPARTMENT OF AGRICULTURE,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, CHIEF OF BUREAU.

SERVICE AND REGULATORY ANNOUNCEMENTS.

SUPPLEMENT.

N. J. 4501-4550.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., January 26, 1917.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

4501. Adulteration and misbranding of pepper. U. S. * * * v. 5 Gross Packages Ground Black Pepper. Consent order releasing product on bond. (F. & D. No. 6632. I. S. No. 4617-k. S. No. E-297.)

On June 26, 1915, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 gross packages of ground black pepper, remaining unsold in the original unbroken packages at Parkersburg, W. Va., alleging that the article had been shipped in April, 1915, by Parrish Bros. (Inc.), Baltimore, Md., and transported from the State of Maryland into the State of West Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The retail packages were labeled, in part: "Star Brand Purity Strength Strictly Pure Spices Pepper * * * Purity Strength Strictly Pure Spices Guaranteed by Parrish Bros., Inc. Baltimore, Md. to be absolutely pure and to conform to all pure food laws."

Adulteration of the article was alleged in the libel for the reason that it contained shells and pepper products mixed and packed with the pepper therein and was thus and otherwise adulterated in violation of section 7, Food and Drugs Act, paragraphs 1 and 2, thus being reduced, lowered, and injuriously affected in its quality and strength.

Misbranding was alleged for the reason that the said labels and branding set forth that said pepper which is used as an article of food was absolutely and strictly pure and conformed to all pure food laws, when, in truth and in fact, said pepper as aforesaid had had mixed therein shells and other pepper products, and was not, therefore, strictly and absolutely pure within the meaning of said act.

On September 21, 1915, the said Parrish Bros. (Inc.), having appeared as claimants and having paid the costs of the proceedings, and filed a good and sufficient bond in conformity with section 10 of the act, conditioned that the article would not be sold or in any manner whatsoever disposed of, or permitted to be sold or in any way whatsoever disposed of, it was ordered by the court that the property should be released to said claimant.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4502. Adulteration and misbranding of brandy. U. S. * * * v. Morand Bros., a corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 6635. I. S. No. 2187-h.)

On November 4, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Morand Bros., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 11, 1913, from the State of Illinois into the State of Indiana, of a quantity of brandy, which was adulterated and misbranded. The article was labeled, in part: (Retail package, neck label) "Napoleon Brand" (design). (Principal label) "French Style Cognac Napoleon Brand Bottled in the First Internal Revenue District Chicago, Ill." (In red type across main label) "Superfine Quality." (On sticker) "Highly Recommended for Hotel, Cafe, and Family Use." (Shipping package, ends of case) "Choice California Brandy Cognac Type."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results, expressed as parts per 100,000 of 100° proof alcohol, except as otherwise stated:

Proof (degrees) -----	90.2
Methyl alcohol -----	None.
Solids -----	232.8
Total acids as acetic -----	8.0
Esters as acetic -----	3.9
Aldehydes as acetic -----	2.2
Furfural -----	None.
Fusel oil -----	13.6
Color (degrees, brewer's scale, 0.5-inch cell) -----	7.7
Color insoluble in amyl alcohol (per cent) -----	71.0

The product consists largely of neutral spirits.

Adulteration was alleged in the information for the reason that the article, by the label on the shipping case and on the bottle, purported to be a brandy of cognac type, or French style cognac, that is, a brandy of the type or style produced in the Cognac district of France, whereas, in truth and in fact, an imitation brandy of domestic origin, consisting largely of neutral spirits, had been substituted wholly for brandy of cognac type, or French style cognac.

Misbranding was alleged for the reason that the statement, to wit, "Brandy Cognac Type," borne on the case, and the statement, to wit, "French Style Cognac," borne on the bottle label, were false and misleading, respectively, in that the first statement represented the article to be a brandy of cognac type and deceived and misled the purchaser into the belief that it was a brandy of cognac type, and the second statement represented the article to be a French style cognac and deceived and misled the purchaser into the belief that it was a French style cognac, that is, a brandy of the type or style, as the case might be, produced in the Cognac district of France, whereas, in truth and in fact, it was not, but was an imitation brandy, of domestic origin, consisting largely of neutral spirits.

On November 23, 1915, the defendant company entered a plea of guilty to the information, and on December 10, 1915, the court imposed a fine of \$25 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*



4503. Misbranding of "Terraline." U. S. v. The Hillside Chemical Co., a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 6641. I. S. Nos. 7921-e, 7922-e.)

On October 13, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Hillside Chemical Co., a corporation, Newburgh, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, through an agent, on January 5, 1913, from the State of New York into the State of Ohio, of quantities of "Terraline Plain" and "Terraline with Heroin," which were misbranded. The "Plain Terraline" was labeled: (On bottle) "Terraline Petroleum Purificatum (Plain) Indicated in Phthisis, Coughs, Colds, Asthma, La Grippe, Hoarseness, and All Diseases of the Throat and Lungs, and for General Debility. Terraline is medicinally pure Petroleum, free from taste and odor and easily digested. Preferable to cod liver oil. In the croupy coughs of children, and in croup itself, it is prescribed with the greatest benefit. Directions—Dose, one to two teaspoonfuls three or four times daily, children in like proportion. It may be taken plain or in milk, coffee, wine, or any other vehicle. Guaranteed under the Food and Drugs Act, June 30, 1906, No. 561. The Hillside Chemical Company (incorporated) Newburgh, N. Y., U. S. A. 113345." (Blown in bottle) "Hillside Chem. Co., Newburgh, N. Y." The "Terraline with Heroin" was labeled: (On bottle) "Terraline Petroleum Purificatum with heroin Each Fluid Ounce Contains $\frac{1}{4}$ Grain of Heroin (Alkaloid) indicated in Phthisis, Coughs, Colds, Asthma, La Grippe, Hoarseness, and all diseases of the throat and lungs, and for general debility. Terraline is medicinally pure petroleum. Free from taste and odor and easily digested. Preferable to cod liver oil. In the croupy coughs of children, and in croup itself it is prescribed with the greatest benefit. Directions—Dose, one to two teaspoonfuls three or four times daily, children in like proportion. It may be taken plain, or in milk, coffee, wine, or any other vehicle. Guaranteed under the Food and Drugs Act, June 30, 1906. No. 561. The Hillside Chemical Company (incorporated) Newburgh, N. Y., U. S. A. 013053."

Analysis of a sample of the "Plain Terraline" by the Bureau of Chemistry of this department showed the following results:

Specific gravity at 25° C., 0.8756. Answers U. S. P. requirements for Petrolatum Liquidum.

Analysis of a sample of the "Terraline with Heroin" by said bureau showed the following results:

Heroin (grain per fluid ounce)-----	0.028.
Saponifiable oil -----	Absent.
Specific gravity, 21° C-----	0.876.

This product is liquid petrolatum carrying heroin in solution.

Misbranding of the article was alleged in the information for the reason that the following statements regarding it, or the ingredients or substances contained therein, appearing on the label of the bottle aforesaid, to wit, "* * * easily digested. Preferable to cod liver oil * * *" were false and misleading in that they indicated to purchasers thereof that the article of drugs was preferable to cod liver oil in that it was easily digested and was, therefore, of value as nutriment, when, in truth and in fact, it was not preferable to cod liver oil in that it was not digestible and contained no nutritive value whatever. Misbranding was alleged for the further reason that the following statements descriptive of the therapeutic or curative effects of the article, appearing on the label of the bottles aforesaid, to wit, "Terraline Petroleum Purificatum (Plain)" (or "with Heroin" as the case might be) "* * * Indi-

cated in Phthisis, * * * Asthma, La Grippe, * * * and All Diseases of the Throat and Lungs, * * * in croup itself, it is prescribed with the greatest benefit," were false and fraudulent in that they were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for phthisis, asthma, la grippe, all diseases of the throat and lungs, and croup, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents.

On October 27, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4504. Adulteration and misbranding of pepper. U. S. * * * v. 4 Pails of Ground Pepper. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6642. I. S. No. 15307-k. S. No. C-252.)

On June 21, 1915, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of four pails, each containing 30 pounds, of ground pepper, remaining unsold in the original unbroken packages at Mobile, Ala., alleging that the article had been shipped on May 21, 1915, and transported from the State of Ohio into the State of Alabama, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: "Thirty pounds net Strictly Pure Ground Pepper B."

Adulteration of the article was alleged in the libel for the reason that it contained a large percentage of pepper shells added thereto.

Misbranding was alleged for the reason that the article was branded or labeled "Thirty pounds net Strictly Pure Ground Pepper B," whereas it was adulterated in the addition of a large percentage of pepper shells.

On August 13, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the article should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4505. Misbranding of "Rosadalis." U. S. v. Hall & Ruckel, a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 6645. I. S. No. 7972-e.)

On October 13, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Hall & Ruckel, a corporation, New York, N. Y., alleging shipment by said defendant company, in violation of the Food and Drugs Act, as amended, on February 20, 1913, from the State of New York into the State of Ohio, of a quantity of "Rosadalis," which was misbranded. The article was labeled: (On carton) "New Style Adopted Jan. 1907. The Life of the Flesh is in the Blood. Lev. XVII, II. The Compound Extract of Rosadalis Trade Mark Alcohol 35% For Scrofula in its various forms such as Consumption in its Early Stages, enlargement and ulceration of the glands, Joints and bones, &c. Rheumatism, White Swelling, Sore Eyes, Stubborn Ulcers, Eruptions of the skin, also Syphilis Diseases of Women, Loss of Appetite, Dyspepsia, Sick Headache, Costiveness, Liver Complaints, Pain in the Back, Imprudence in Life, Gravel and Chronic Diseases of the Blood, Liver, Kidneys & Bladder. Sold formerly by John F. Henry & Co. Manufacturers for the Manhattan Medicine Co. by Hall & Ruckel 215 Washington St. New York. Entered according to Act of Congress the year 1867 by J. J. Lawrence, in the clerk's office of the District court of the United States for the Southern District of New York. Rosadalis For diseases peculiar to females such as Leucorrhœa, Suppression, Irregularity, &c. Also Kidney Affections, Skin Diseases, &c. Rosadalis Purifies the Blood, Beautifies the Complexion. Guaranteed by Hall & Ruckel Under the Food and Drugs Act, June 30, 1906, No. 701. Notice. We wish it distinctly understood that the Rosadalis is not prepared like fluid extracts ordinarily are (most of which contain very little of the virtues of the articles from which they are made), but that 'this preparation' is compounded upon scientific principles, with great care by an experienced Chemist and Pharmaceutist, who is also a regular graduate of Medicine and Pharmacy, and that it contains all the active principles of the articles from which it is prepared, in a highly concentrated and pleasant form. The Rosadalis Compound, therefore, gives universal satisfaction to all physicians and patients who have tested it in Diseases of the Blood, Liver, Kidneys or Bladder. It has been highly recommended and approved by the Medical Faculty wherever it has been introduced, and it is now being used with the most decided success in the practice of some of the most eminent physicians in the United States. To Physicians This preparation is compounded of ingredients that are well known to every medical practitioner, and that possess remedial virtues of the greatest power and efficacy, and which, being mostly vegetable, are entirely harmless, and make it the Most Powerful Alternative Combination known in Medicine, and as an Anti-Syphilitic it has gained an unrivaled reputation. It also possesses Tonic and Diuretic properties, and is therefore valuable wherever an Alternative Tonic and Diuretic remedy is indicated. Sold Formerly by John F. Henry & Co. Manhattan Medicine Co. New York. Proprietors. Entered according to act of Congress, in the year 1867, by J. J. Lawrence, in the Clerk's office of the District Court of the United States for the Southern District of New York. Sold Formerly by John F. Henry & Co. Beware of Counterfeits. Manufactured for the Manhattan Medicine Company by Hall & Ruckel 215 Washington St. New York." (On top of carton was pasted a stamp photo, with words "New York John F. Henry.") (On package) "Rosadalis Alcohol 36% The Great Southern Blood Purifier For Liver Complaints Rheumatism Female Diseases Syphilis and all Malaria Impurities of the Blood. Guaranteed by Hall & Ruckel, under the Food and Drugs Act, June 30, 1906. No. 701." (On bottle) "Directions for taking the Rosadalis Alcohol 36% Guaranteed

under the Food and Drugs Act, June 30, 1906. No. 701. Dose.—Adult. One teaspoonful gradually increased to a tablespoonful, four times a day, just before each meal, and on going to bed. Dilute with water if preferred. Children 10 years old, one teaspoonful three times a day; 5 years old, half-teaspoonful; 1 year old, 15 drops. Some constitutions require less than others—gross constitutions requiring more than delicate ones. Shake the bottle well each time before using it. Be certain to take it regularly or not at all. Prepared for L. D. Henry, 215 Washington St. New York. Notice If our patients simply take this medicine for a short time, and then drop it, they will receive but little benefit; for unless persevered in, until at least two or three bottles are taken, the money paid for it is thrown away And The Reputation of the Medicine is Injured; but if persisted in, it eradicates the disease entirely, and leaves the system as pure as before the disease was contracted. Like all Alterative remedies, it has its action slowly from the use of small doses, frequently and regularly repeated.”

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product consisted essentially of a hydroalcoholic solution containing 32.44 per cent by volume of alcohol, 2.8 grams per 100 cc of potassium iodid, and a cathartic drug.

Misbranding of the article was alleged in the information for the reason that the following statements descriptive of the therapeutic or curative effects thereof, appearing on the labels aforesaid, to wit: (On shipping package) “Rosadalis * * * for * * * all Malaria Impurities of the Blood * * *.” (On carton) “* * * The Compound Extract of Rosadalis * * * for * * * Consumption In Its Early Stages * * * Rheumatism * * * Diseases of Women * * * Gravel and Chronic Diseases of the * * * Kidneys * * *.” (On bottle) “* * * It Eradicates the Disease entirely, and leaves the system as pure as before the disease was contracted,” were false and fraudulent in that the same were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently, to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, for the cure of all malarial impurities of the blood, consumption in its early stages, rheumatism, white swelling, diseases peculiar to females, gravel, and chronic diseases of the blood, liver, kidneys, and bladder, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents.

On October 18, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4506. Misbranding of "Muller's Famous Prescription." U. S. * * * v. William H. Muller. Plea of guilty. Fine, \$75. (F. & D. No. 6646. I. S. No. 8845-e.)

On November 26, 1915, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William H. Muller, Brooklyn, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about January 17, 1913, from the State of New York into the State of Vermont, of a quantity of "Muller's Famous Prescription," which was misbranded. The article was labeled: (On carton) "Famous Prescription 100,384. (Trade Mark) The Best Only Muller New York. A Marvelous Success in the Cure of Rheumatism and Gout Acute and Chronic. Directions: Teaspoonful three or four times a day, an hour after meals and at bedtime. Shake Well." (Statement in German) "Prepared only by Wm. H. Muller, Brooklyn, New York. Price 75 Cents." (On back of carton) "The Veteran of the Civil War was among those who first learned the virtues of this famous prescription, then known simply as 100,384. Its constantly growing popularity is almost entirely the result of individual recommendation by those whom it has released from the tyranny of pain. It is a medicine with a specific action entirely its own. A most effective remedy for Rheumatism and Gout, and their Blood Relations. A Safe and Satisfactory Treatment. Read Booklet Enclosed. Medical men will find Famous Prescription 100,384 a Desideratum. Being entirely free from opiates and other narcotics, it produces no unpleasant after-effects, giving the highest satisfaction to both practitioner and patient. None genuine without my signature. Guaranteed by Wm. H. Muller under the Food and Drugs Act, June 30, 1906, No. 1797. Wm. H. Muller." (On sides of carton) "Muller's Famous Prescription 100,384." (Top Flap) "Originally Prescribed and Compounded in 1861." (On bottle) "Muller's Famous Prescription 100,384 Trade Mark. A Marvelous Success in the Cure of Rheumatism and Gout. Directions: Shake Well. Take a teaspoonful three or four times daily, an hour after meals, and at bedtime (in a little water if preferred). Prepared only by Wm. H. Muller, Manuf'g Chemist, 352 Atlantic Ave., Brooklyn, N. Y. Formerly University Place, N. Y. City. Muller's Famous Prescription. This prescription, recorded in February, 1861, was prescribed by the most able physician of his time. It is a medicine with a specific action entirely its own. A most effective remedy for rheumatism and Gout, and their Blood Relations. A Safe and Satisfactory Treatment. A bottle or so more than really necessary is recommended for chronic cases. Muller's Famous Prescription. Guaranteed by Wm. H. Muller, under the Food and Drugs Act, June 30, 1906. Serial No. 1797. None Genuine without my signature. Wm. H. Muller." (Blown in bottle) "Muller's Famous Prescription." The booklet accompanying the article contained, among other things, the following: "The Story of Muller's Famous Prescription The Master Cure for Rheumatism Founded 1861. Muller's Famous Prescription is indeed a remedy far above the ordinary. It's genuine services to the many in nearly every state of these United States, and elsewhere, has demonstrated that all forms of Rheumatism can be cured promptly and thoroly, and without harm to the stomach. A trial is particularly urged in cases where every other treatment has failed. It matters not what the length of standing. Muller's 'Famous Prescription 100,384' a specialist's formula, successfully prescribed by specialists to-day—for all forms of Rheumatism, Articular, Gouty, Sciatic, Inflammatory, Muscular, etc., acute and chronic. Principally advertised by those whom it has cured. Likewise Muller's Famous Prescription contains no irritating potash of any kind, nor salicylic acid or salicylates of any sort. It

is entirely free from any of the many injurious remedies. Patients taking this medicine have no ill effects on the stomach or system. Takes a little time, but it cures. From 3 to 6 bottles is the average for chronic cases. A few more for so-called incurables, and only one or two, for the mild forms of Rheumatism."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product was an aqueous solution containing, as essential ingredients, potassium iodid (5.6 grams per 100 cc) and colchicine (0.007 grain per fluid ounce); flavored with cinnamon.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On carton and bottle) "Marvelous Success in the Cure of Rheumatism," and included in the booklet aforesaid, to wit, "* * * Muller's Famous Prescription The Master Cure For Rheumatism * * * It's genuine services to the many in nearly every state of these United States, and elsewhere, has demonstrated that all forms of Rheumatism can be cured promptly and thoroly * * *," "* * * for all forms of Rheumatism, * * * Inflammatory, * * * acute and chronic," "Takes a little time, but it cures," were false and fraudulent in that the same were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, as a cure for rheumatism, as a cure for all forms of rheumatism, as a cure for inflammatory rheumatism, and as a cure for acute and chronic rheumatism, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents. Misbranding was alleged for the further reason that the following statement descriptive of the article of drugs, to wit, "Muller's Famous Prescription contains no irritating potash of any kind," was false and misleading in that it represented that the article contained no irritating potash of any kind, whereas, in truth and in fact, it did contain an irritating potash, to wit, potassium iodid.

On November 30, 1915, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$75.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4507. Misbranding of "Thomas Pennyroyal Tansy and Cotton Root Pills," "Arthur (Bicks) Pine Tar Honey Horehound and Wild Cherry," "Bicks Quick Pile Remedy," "Bick's Nerve and Brain Tonic," "Bick's Laxative Syrup of Figs with Syrup of Pepsin," and "Arthur's Sexual Tablets." U. S. * * * v. Palestine Drug Co., a corporation. Plea of guilty. Fine, \$45. (F. & D. No. 6648. I. S. Nos. 10486-e, 10488-e, 10489-e, 10490-e, 10491-e, 10492-e, 10493-e.)

On February 2, 1916, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Palestine Drug Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about March 20, 1913, from the State of Missouri into the State of Louisiana, of quantities of "Thomas Pennyroyal Tansy and Cotton Root Pills," "Arthur (Bicks) Pine Tar Honey Horehound and Wild Cherry," "Bick's Quick Pile Remedy," "Bick's Nerve and Brain Tonic," "Bick's Laxative Syrup of Figs with Syrup of Pepsin," and "Arthur's Sexual Tablets," which were misbranded.

The "Thomas Pennyroyal Tansy and Cotton Root Pills" were labeled: (On front of box) "Thomas' Pennyroyal Tansy and Cotton Root Pills. The only reliable and most powerful pills on the market. A safe, certain and effectual remedy in suppression of the menstrual functions. Price Reduced to \$1.00 per box. Sole Distributor Palestine Drug Co. St. Louis." (On back of box) "Directions Take three pills each night continuously until the desired effect is obtained in restoring the menstrual functions to their normal conditions. Great caution should be observed in using these pills by pregnant women. They are purely vegetable and perfectly harmless, and can be taken by one and all except as above mentioned." (On one side) "Directions Take three pills at bed time and soak feet in warm mustard water before retiring each night until menstrual functions are restored." (On other side) "Guaranteed under the Pure Food and Drug Act, June 30, 1906 Serial No. 5741. Thomas' Pennyroyal Tansy and Cotton Root Pills. Caution should be observed in using these pills by pregnant women as they will positively produce miscarriage or abortion."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Ferrous sulphate (per cent)-----	8.1
Plant extractives and plant tissues (per cent)-----	15.2
Volatile matter at 100° C., as water and volatile oil (per cent) -----	7.7

Product is a sugar- and calcium-carbonate-coated pill containing ferrous sulphate, a small amount of oils of pennyroyal and tansy, and unidentified plant extractives and tissues.

Misbranding of the article was alleged in the information for the reason that the following statement regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, "A safe, certain and effectual remedy in suppression of the menstrual functions," was false and fraudulent in that the same was applied to the article knowingly, and in reckless and wanton disregard of its truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective as a certain and effectual remedy for suppression of the menstrual functions, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents.

The "Pine Tar Honey Horehound and Wild Cherry" was labeled: (On wrapper; front) "Arthur (Bicks) Pine Tar Honey Horehound and Wild Cherry" (Representation of soldier with drawn sword.) "With Senna Fennel Seed and Glycerine, contains 5 per cent alcohol, Beechwood, Creosote and Chloroform, one minim to the ounce. Guaranteed by the Palestine Drug Co., under the Pure Food and Drug Act, June 30, 1906, Serial No. 5741. Price 25 Cents Palestine Drug Co. St. Louis, Mo." (On one side) "This remedy is especially for Acute Throat and Lung Diseases, such as Colds, Croup, Whooping Coughs, and Influenza, for both adults and children. It loosens and relieves a cold and aids nature in relieving the lungs and throwing off the poisonous mucus produced by a cold. It is famous for its relief of severe colds and can be depended upon in cases of Croup and Whooping Cough. It is a certain preventative for Croup if used as soon as the first symptoms appear." (On back) "One of the Quickest Relief on Earth Checks a Cough in one minute Breaks Up A Cold in One Day Never be without it It Has No Equal It will Prolong your Life To a Ripe Old Age" (On other side) "Arthur's Pine Tar Honey will give truly wonderfully pleasing results in the treatment and relief of Incipient Consumption, Phthisis, LaGrippe, Influenza, Whooping Cough, Sore Throat, Measles and Lung Troubles. One of the quickest reliefs on earth, best adapted for infants and children, as well as aged and feeble people. Manufactured and for sale by the Palestine Drug Co. St. Louis, Mo." (On bottle) "Arthur's Pine Tar Honey Contains 5 per cent Alcohol, Beechwood, Creosote and Chloroform one minim to the ounce. Directions Dose—1 to 2 teaspoonsful 3 times a day. It is desirable to inhale the balsam a few drops at a time until the full dose is taken, as the properties are volatile and reach the affected parts better than any other way. Guaranteed by Palestine Drug Co. under Pure Food and Drug Act, June 30, 1906, Serial No. 5741. Manufactured by Palestine Drug Company St. Louis U. S. A."

Analysis of a sample of this article by the said Bureau of Chemistry showed the following results:

Sucrose (per cent)-----	37.28
Ammonium chlorid (per cent)-----	0.62
Potassium acetate (per cent)-----	1.54
Salicylic acid (per cent)-----	0.31
Total tartrates, as sodium potassium tartrate (per cent)---	0.21
Alcohol (per cent by volume)-----	6.56
Chloroform: Very small amount present.	

Alkaloids: Trace.

Horehound and wild cherry: Indicated.

Product is essentially a hydroalcoholic solution of sugar, ammonium chlorid, potassium acetate, salicylic acid, chloroform, a very small amount of tartrate (possibly Rochelle salts), a laxative plant drug, a very minute quantity of unidentified alkaloid-bearing drugs, pine tar, and unidentified plant extractives.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label of the wrapper aforesaid, to wit, "Arthur (Bicks) Pine Tar Honey Horehound and Wild Cherry * * * This remedy is especially for Acute Throat and Lung Diseases, such as * * * Croup, Whooping Coughs and Influenza, for both adults and children," " * * * It is a certain preventative for Croup if used as soon as the first symptoms appear. * * * will give truly wonderfully pleasing results in the treatment and relief of Incipient Consumption, Phthisis, La Grippe, Influenza, Whooping Cough, * * *

Measles * * *," were false and fraudulent in that the same were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for croup, whooping cough, and influenza in adults and children, and effective as a certain preventive for croup if used upon the appearance of the first symptoms, and effective in the treatment and relief of incipient consumption, phthisis, la grippe, influenza, whooping cough, and measles, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents.

The "Pile Remedy" was labeled: (On carton containing tin box; front) "Bick's Quick Pile Remedy for Blind Bleeding Itching" (Representation of soldier with drawn sword) "and Protruding Piles Price 50c Directions on back A true and effective remedy for all kinds of Piles." (Side) "This valuable salve instantly relieves all forms of Piles, Blind, Bleeding, Itching and Protruding Piles. Also good for all kinds of Sores, Ulcers, Bites, Stings and all kinds of old sores, ulcers, etc." (Back) "Directions for all kinds of Piles, insert with the finger into the rectum as far as you can by applying the salve this way with safety every night and morning until thoroughly relieved of all kinds of Piles; for all other complaints rub the salve thoroughly over the affected parts until permanently relieved. Mfg. By Palestine Drug Co. St. Louis, Mo." (Other side) "Guaranteed under the Pure Food and Drug Act, June 30, 1906, Serial No. 5741. Use Bick's Laxative Kidney Pills or tablets for constipation, sour stomach, heart burn and all kidney, backache and liver troubles. Palestine Drug Co., Mfg."

Analysis of a sample of this article by said Bureau of Chemistry showed the following results:

Insoluble in 95% alcohol (white wax and vaseline) (per cent) -----	97.7
Phenol and salicylic acid (per cent)-----	0.50
Glycerin: Present in small amount.	
Alkaloids: Indicated.	

Product is essentially a mixture of white wax, vaseline, glycerin, phenol, and salicylic acid. Alkaloids indicated.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, "Bick's Quick Pile Remedy for Blind Bleeding * * * and Protruding Piles * * * a true and effective remedy for all kind of Piles. This valuable salve instantly relieves all forms of Piles, Blind, Bleeding, * * * and Protruding Piles," were false and fraudulent in that the same were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, for the relief of, and as a remedy for, all kinds and forms of piles, blind, bleeding, and protruding piles, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents.

The "Nerve and Brain Tonic" was labeled: (On box; front) "Bick's Nerve and Brain Tonic in tablet form. For Nervous Prostration, relieving all bodily aches and pains" (Representation of soldier with drawn sword) "Also a reli-

able Brain Food and Stimulating Tonic Tablet for Female Weakness, sour stomach and heart burn." (Back) "The new discovery of the Twentieth Century instantly relieves all bodily aches and pains, female weakness, heart trouble, general weakness, loss of brain power, over work, nervous debility and costiveness, constipation, general weakness of the nervous system. Directions: For all complaints subject to mankind, take one tablet at bed time once a day until permanently relieved. Never has failed and never will. Established 1876. Palestine Drug Co., St. Louis, Mo. Sole Agents." (Side) "Thirty-five Days Treatment Price \$1.00 Instantly relieves all bodily aches and pains subject to mankind. Guaranteed under the Pure Food and Drug Act, June 30, 1906. Serial No. 5741. Palestine Drug Co., Sole Agents." (Other side) "Dizziness, weakness, nervousness, headache, sour stomach, heart-burn, kidney and bladder troubles, loss of power, in either sex restored permanently."

Analysis of a sample of this article by said Bureau of Chemistry showed that the product was essentially a mixture of reduced iron (15.78 per cent), calcium carbonate (20.47 per cent), sugar, resinous material similar to podophyllin, laxative plant drugs (one of which is aloes), buchu, powdered pepper, cinnamon, capsicum, and a small amount of pepsin.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, "Bick's Nerve and Brain Tonic * * * For Nervous Prostration. * * * The new discovery of the Twentieth Century instantly relieves * * * female weakness, heart trouble, * * * loss of brain power, * * * all bodily aches and pains * * * kidney troubles, loss of power in either sex restored permanently," were false and fraudulent in that the same were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, for instantly relieving nervous prostration, female weakness, heart trouble, loss of brain power, all bodily aches and pains, kidney trouble, for restoring permanently loss of sexual power in either sex, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents.

The "Laxative Syrup of Figs," of which there were shipments to two different consignees, was labeled: (On carton; front) "Bick's Laxative Syrup of Figs With Syrup of Pepsin A Pleasant Laxative for Digesting What You Eat. For Infants, Children and Adults. And for Fretting, Feverish and Teething Children. Contains 5% Alcohol, as a preservative, composed of Senna, Annis, Fennel, Pepsin and other purely Vegetable ingredients. A Perfect Remedy For Constipation, Sour Stomach, Heart Burn, Indigestion, Malaria, Liver, Kidney and Bowel Troubles, Sick and Nervous Headaches, Bladder Troubles and all Bodily Aches and Pains. Guaranteed by the Palestine Drug Co., St. Louis, Mo., under the Food and Drugs Act, June 30, 1906. Serial No. 5741. Manufactured exclusively by the Palestine Drug Co. St. Louis, Mo. Price 50 Cts." (Side) "Bick's Laxative Syrup of Figs Contains Pepsin and other purely Vegetable Compounds, making it one of the greatest combinations of Roots, Herbs, and Barks, on the market, also making it one of the best Tonic Laxative Digestive Remedies for Constipation, Sour Stomach, Heart Burn, Indigestion, Loss of Appetite, Blood Diseases, Biliousness and all Kidney, Liver and Bladder Trouble caused from bad Digestion and Constipation. This preparation is good for all complaints subject to old and feeble persons and a perfect Remedy for Infants and Children in such cases as Fretting, Feverish, Teething, Bowel Troubles and Summer

Complaint with Children." (Other side) "Bick's Laxative Syrup of Figs. After 30 years of practical experience in the Sale and Manufacturing of Proprietary Medicines, we have discovered one of the greatest combination of preparations offered to the world. A purely Vegetable Preparation for the instant and permanent Relief of all suffering humanity. Give to your Infant Baby or to the Old and Feeble as well as the Middle Aged. This preparation is guaranteed to give perfect satisfaction backed and endorsed by the original inventor. Kindly recommend this preparation to your neighbor if it meets with your approval and endorsement." (Top) "A sample box Bick's Laxative Kidney & Stomach Tablets or Bick's Laxative Quinine Tablets Free with every Bottle of Syrup of Figs with Syrup of Pepsin." (Back) "Bick's Laxative Kidney and Stomach Tablets" (Representation of soldier with drawn sword) "Quick and speedy Relief For Kidney, Liver and Stomach Troubles, in its worst forms instantly relieves Headache, Dropsy, Bright's Disease, Stone in the Bladder, pain in Back and Shoulders. Price 25 Cents Palestine Drug Co., Sole Agents, St. Louis, Mo. Tablets can be pulverized and taken in water or syrup if preferred. Don't chew, swallow them with water. Guaranteed by Palestine Drug Co., under the Food and Drugs Act, June 30, 1906. Serial No. 5741. The only relief on Earth for all Kidney and Liver Troubles, Dropsy, Heart Disease, Nervousness, Stone in the Bladder, Bright's Disease. Loss of Appetite, Paleness, Pain in the Side and Shoulders. Best in use, none so good. For sale by all Druggists or mailed upon receipt of Price. 25 Cents Directions: Take 2 Tablets once a day at bed-time preferred. If they purge too freely, reduce the dose to 1 a day till relieved. This is a positive remedy for Kidney and Liver Disease in all its forms. Bick's Laxative Kidney and Liver Remedy For bed-wetting of Infants and Children and retention of Urine by aged people. Relieves Headache and Stomach Trouble. Two at a dose at bed-time. Infants and Children 1 Tablet. Trade Bick's Mark Cold—Laxative—Remedy Quinine Tablets" (Representation of soldier with drawn sword) "Quick and Speedy Relief for Lagrippe and Colds No disagreeable or buzzing sensations like the after effects of taking quinine. Price 25 Cents Palestine Drug Co., Sole Agents, St. Louis, Mo. Each tablet Contains: Sulph. Morphine . . . 1-64 grain Acetanilid . . . 1 grain. Serial No. 5741. Guaranteed by Palestine Drug Co., under the Food and Drugs Act, June 30, 1906. The great Laxative Preparation, containing Iron and Quinine; relieves a cold in 12 hours. A Quick, Sure and Safe Cold Remedy. Bick's Laxative Quinine Tablets is an excellent preparation, and a positive relief for LaGrippe, Colds, Headache and even Chills in their worst form. For sale by druggists or mailed upon receipt of price. Directions: Take 2 tablets every 3 or 4 hours until cough is relieved and bowels move well; after that, 1 tablet 3 times a day until relieved." (On bottle) "Bick's Syrup of Figs With Syrup Pepsin Contains 5% Alcohol a compound digesting what you eat Relieves Constipation and all aches and pains Directions Children from 6 to 12 months old, 1/4 teaspoonful; 1 to 5 years, 1 teaspoonful. Adults, 1 to 2 tablespoonfuls. For all complaints take from 2 to 3 times a day before or after meals or at bed-time as preferred. Guaranteed by the Palestine Drug Co. of St. Louis, Mo., under the Food and Drugs Act of June 30, 1906. Palestine Drug Co. Manufacturers St. Louis, Mo."

Analyses by said Bureau of Chemistry of samples of the "Laxative Syrup of Figs" from each of the shipments showed the following results:

Sample No. 1:

Alcohol (per cent by volume)----- 6.12
Pepsin: Possible trace.

The preparation is essentially a sweetened cathartic flavored with cinnamon.

Sample No. 2:

Alcohol (per cent by volume)----- 7.2

Pepsin: Absent.

The preparation is essentially a sweetened cathartic.

Misbranding of the article was alleged in the information for the reason that the following statements, appearing on the label aforesaid, to wit, "Bick's Laxative Syrup of Figs with Syrup of Pepsin * * * Contains * * * Pepsin * * *," were false and misleading in that they indicated to purchasers thereof that the article contained an appreciable amount of pepsin, among other ingredients, when, in truth and in fact, it did not contain an appreciable amount of pepsin, but contained merely a trace thereof. Misbranding was alleged for the further reason that the following statements, regarding the therapeutic or curative effects of the article, appearing on the label of the carton aforesaid, to wit, "Bick's Laxative Syrup of Figs with Syrup of Pepsin * * * A Perfect Remedy for * * * Malaria * * * Kidney * * * Troubles * * * and all Bodily Aches and Pains. * * * one of the best Tonic Laxative Digestive Remedies for * * * Blood Diseases * * * This preparation is * * * a perfect Remedy for Infants and Children in such cases as * * * Summer Complaint with Children. * * * A purely Vegetable Preparation for the instant and permanent Relief of all suffering humanity * * *," were false and fraudulent in that the same were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, as a perfect remedy for malaria, kidney troubles, all bodily aches and pains, blood diseases, and summer complaint of children, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents.

The "Sexual Tablets" were labeled: (On box; top) "Restores Lost Manhood and Prolongs Life Arthur's Sexual Tablets Worth Their Weight in Gold Lost Vigor and Vitality, Sexual Power, Seminal Weakness, Lost Manhood to either Sex as gifted by our Maker, restored to youthful days. Price, 50 Cents, Palestine Drug Co., St. Louis, Mo. Sole Agents." (Side) "Direction. Take two tablets at bed time and one tablet each morning until the desired results are obtained and you will feel like life is worth living for and also enjoy the pleasure of life and happiness." (Other side) "Guaranteed under the Food and Drug Act, June 30, 1906, Serial No. 5741 Arthur's Aprodosiac [Aphrodisiac] restores Seminal Weakness, Sexual Power and Lost Manhood, Nervous Prostration, too frequent or retention of Urine, the best Appetizer and Blood Purifier on earth." (Bottom) "This is one of the most powerful Blood Tonics and Nerve Stimulant known to the Medical profession. Acts on the Stomach, Liver, Kidneys, Blood and Nerves, building up the entire system; thus relieving Lost Manhood and restoring you to childhood days, making you full of Vigor, Vim and Vitality and making life once more a pleasure to you and worth living." The circular or pamphlet accompanying the article contained, among other things, the following: "Instantly relieves sour stomach, heartburn, constipation, asthma and catarrhal troubles."

Analysis of a sample of this article by the said Bureau of Chemistry showed that the product was essentially a mixture of reduced iron (15.50 per cent), calcium carbonate (19.93 per cent), sugar, resinous material similar to podophyllin, laxative plant drugs (one of which is aloes), buchu, powdered pepper, cinnamon, capsicum, and a small amount of pepsin.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, "Restores Lost Manhood * * * Arthur's Sexual Tablets * * * Lost * * * Sexual Power, Seminal Weakness, Lost Manhood to either Sex as gifted by our Maker, re-restored to youthful days. * * * Arthur's Aprodosiac [Aphrodisiac] restores Seminal Weakness, Sexual Power and Lost Manhood, Nervous Prostration, too frequent or retention of Urine, the best * * * Blood Purifier on earth * * *," and included in the circular or pamphlet aforesaid, to wit, "Instantly relieves * * * asthma and catarrhal troubles," were false and fraudulent in that the same were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, for restoring lost manhood or sexual power, as a remedy for seminal weakness, nervous prostration, too frequent urination, and retention of urine, and as a blood purifier, and for the instant relief of asthma and catarrhal troubles, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents.

On February 26, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$45.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4508. Misbranding of "*Succus Cineraria Maritima* (Comp.)." U. S. * * *
 v. Walker Pharmacal Co., a corporation. Plea of guilty. Fine,
 \$10 and costs. (F. & D. No. 6650. I. S. No. 10005-e.)

On January 19, 1916, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Walker Pharmacal Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about January 9, 1913, from the State of Missouri into the State of California, of a quantity of "*Succus Cineraria Maritima* (Comp.)," which was misbranded. The article was labeled: (On bottle) "*Succus Cineraria Maritima* (Comp.) Indicated in Cataract and other Opacities of the Eye, causing Impaired Vision. *Cineraria Maritima* was first brought to the notice of the medical profession by Dr. Mercer of Port-of-Spain, who, in a letter, published at the time, narrated the marvelous effects of the *Succus* (fresh juice) of *Cineraria Maritima* upon a cataract from which he had personally suffered. Directions for use: Fill the small vial which accompanies this bottle half full of *Succus Cineraria Maritima* and finish filling it with fresh boiled or distilled water. Drop two to four drops of this solution into the affected eye two or three times a day using the medicine dropper which is in this package. No. 633. Guaranteed by Walker Phar. Co. under the Food and Drugs Act, June 30, 1906. The genuine *Succus Cineraria Maritima* (Comp.) is carefully and accurately prepared by the Walker Pharmacal Company, St. Louis, Mo." (On box) "*Succus Cineraria* (Comp.) Indicated in Cataract and other Opacities of the Eye, causing Impaired Vision. No. 633. Guaranteed by Walker Pharmacal Co. under the Food and Drugs Act, June 30, 1906. The genuine *Succus Cineraria Maritima* (Comp.) is carefully and accurately prepared by the Walker Pharmacal Company, St. Louis, Mo." (On wrapper) "*Succus Cineraria* (Comp.) Indicated in Cataract and other Opacities of the Eye, causing Impaired Vision. No. 633. Guaranteed by Walker Pharmacal Co. under the Food and Drugs Act, June 30, 1906. The genuine *Succus Cineraria Maritima* (Comp.) is carefully and accurately prepared by the Walker Pharmacal Company, St. Louis, Mo." The circular or pamphlet accompanying the article contained, among other things, the following: "Successful in Senile Cataract. One case, an old lady of 82 years, who was afflicted with senile cataract, so diagnosed by another beside myself, had lost all power to read. I treated both eyes at the same time, having two drops of Walker's *Succus Cineraria Maritima* put into the eyes night and morning. Four months' use cured the case, and although it is now over a year since she has stopped using the remedy, she can read apparently as well as ever. Another case of senile cataract: A woman, 71 years old, got well in seven months from almost total blindness; is now able to read newspaper print. These two cases show no evidence of senile cataract now." "Corneal Opacities Removed. I have just brought to a successful issue a terrible case of trachoma. W. D., a minor, contracted in some way a contagious granular conjunctivitis. It was a typical case, sago-like elevations on the conjunctiva of the lids being well marked. There was drooping of the eyelids, free purulent discharge and great photophobia. During the earlier stages of the disease I used solution of adrenalin with constant application of cold cloths. After the intensity of the inflammation was over, I used 50 per cent. solutions of ichthyol. In spite of all this there was considerable thickening and opacity of the cornea. I began to fear there would be a permanent damage to the sight. I then began the use of *Cineraria* (Walker), and in a very short time I could notice the absorbing action of the remedy. In ten days' time I felt safe about the sight, and in a few weeks the

eye had entirely cleared. Portsmouth, N. H. Dr. Junkin." "Carbolic Acid Burns Cured. I had a case of a woman who had carbolic acid thrown in her face, some of which got into her eyes, producing severe inflammation and secondary opacity. The scar made quite a disfigurement, and it was a source of great annoyance to the young lady. I was at my wits' end when my attention was called to Cineraria. I used three drops every four hours, and had the satisfaction in a week's time of mastering the case. In nine weeks it would require a critical examination to notice the injury to the eye. A. Nesselmann, M. D." "Indications—We recommend the use of Succus Cineraria Maritima (Walker), the genuine and original product in Cataract, Corneal Ulcerations and Opacities, Injuries of the Eyelids, Conjunctiva or Cornea, Iritis, Catarrhal or Muco-purulent Conjunctivitis, Inflammation of the Lachrymal Gland or of the Cellular Tissues of the Orbit, Trachoma, or, in short, any condition of the eye where an antiphlogistic, sedative or absorptive effect is desired. Its use where indicated will always produce satisfactory results."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product was essentially an aqueous solution of glycerin, boric acid, and vegetable drug extractives carrying tannin-like bodies.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On bottle and box) "Indicated in Cataract and other Opacities of the Eye, causing Impaired Vision," and included in the circular or pamphlet or circular aforesaid, to wit, "Successful in senile cataract. One case, an old lady of 82 years * * * Walker's Succus Cineraria Maritima put into the eyes night and morning. Four Months' use cured the case * * *," "Another case of senile cataract: A woman, 71 years old, got well in seven months from almost total blindness; * * * These two cases show no evidence of senile cataract now," "I have just brought to a successful issue a terrible case of trachoma * * * began the use of Cineraria (Walker), and in a very short time I could notice the absorbing action of the remedy," " * * * secondary opacity * * * Cineraria I used three drops every four hours, and had the satisfaction in a week's time of mastering the case," "We recommend the use of Succus Cineraria Maritima (Walker) in Cataract, Corneal Ulcerations and Opacities, * * * Iritis, Trachoma, * * * Its use where indicated will always produce satisfactory results," were false and fraudulent in that the same were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for cataract and other opacities of the eye causing impaired vision, as a cure for senile cataract, trachoma, secondary opacity, and as a remedy for cataract, corneal ulcerations and opacities, and for iritis and trachoma, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients and medicinal agents.

On February 5, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4509. Adulteration and misbranding of tomato ketchup. U. S. v. 23 and 14 Cases of Tomato Ketchup. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 6653, 6654. I. S. Nos. 3172-k, 3174-k. S. No. E-330.)

On June 25, 1915, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 23 and 14 cases of tomato ketchup, remaining unsold in the original unbroken packages at Richmond, Va., alleging that the article had been shipped, on or about May 26, 1915, and transported from the State of Pennsylvania into the State of Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: "Morris Best Brand Tomato Catsup. Contains small tomatoes, trimmings, onions, garlic, spices, sugar, 1/10 of one per cent. benzoate of soda. Contents large bottle 11 oz. net, small bottle 5-1/2 oz. net. Lansdale Pure Food Co. Factories Lansdale and Perkasio, Pa. Philadelphia office 1227 Germantown Ave."

Adulteration of the article was alleged in the libels for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

Misbranding was alleged for the reason that the shipment was in package form and the quantity of the contents of the packages was not plainly and conspicuously marked on the outside of each package in terms of weight and [or] measure.

On October 4, 1915, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

(The report of this department, upon which the proceedings in this case were based, did not include a finding that the product consisted of a putrid vegetable substance.)

CARL VROOMAN, *Acting Secretary of Agriculture.*

4510. Adulteration and misbranding of tomatoes. U. S. v. 100 Cases of Strained Tomatoes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6655. I. S. No. 3666-k. S. No. E-327.)

On June 28, 1915, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 cases, each containing four dozen cans, of strained tomatoes, remaining unsold in the original unbroken packages at Augusta, Ga., alleging that the article had been shipped, on or about June 11, 1915, and transported from the State of Maryland into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The shipping cases were labeled, in part: "4 doz. No. 1 Alpine Heights Brand Strained Tomatoes. Packed by D. L. Harrison, Woodwardville, Md." Each of the cans was labeled: "Alpine Heights Brand (design) Strained Tomatoes For Soup Content 11 Oz. Packed by D. L. Harrison, Woodwardville, Md."

The allegations in the libel were to the effect that the article was adulterated in that it consisted, in whole or in part, of a decomposed vegetable product, and that it was misbranded for the reason that instead of 11 ounces, as labeled, the cans contained an average shortage of 0.85 of an ounce per can.

On November 23, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4511. Misbranding of "Lung-Vita." U. S. * * * v. 7 Dozen * * * and 9 Dozen Bottles of "Lung-Vita." Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 6657. I. S. No. 14158-k. S. No. C-247.)

On June 25, 1915, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 dozen large and 9 dozen small bottles of "Lung-Vita," so called, remaining unsold in the original unbroken packages at La Crosse, Wis., alleging that the article had been shipped, on or about April 17, 1915, and transported from the State of Tennessee into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article was alleged in the libel for the reason that the packages, bottles, labels, circulars or pamphlets, and cartons of said drug bore certain statements regarding it and the ingredients and substances contained therein and the curative effects thereof which were false and misleading, and that among the said false and misleading statements were the following, that is to say: (On circulars or pamphlets) "Lung-Vita—Lung-Vita is composed of harmless agents and contains five per cent pure grain alcohol, which is not used for its medical qualities but to preserve the vegetable syrups entering into the compound. Lung-Vita is only recommended for tuberculosis and asthma, but for any trouble of the respiratory tract, we know nothing better than Lung-Vita. As a tissue builder, there is nothing better for a weakened and run down state of health. Tubercular bacilli cannot live in Lung-Vita, and the claim for it above all others is that it will invade the tissues occupied by the bacilli, and as they cannot occupy the same space the bacilli have to recede or give back. Lung-Vita goes wherever there is circulation of blood as a medicament in the blood. * * * Aiding the blood in giving cell production for the building of tissue. This forces away diseased and broken down tissue, occupying its place, forming cicatrices, closing in upon and healing over their walls, thus preserving all surrounding structures ——— separating the good from the bad." (On bottles) "Lung-Vita, the universal lung remedy for tuberculosis and asthma." (On cartons) "Lung-Vita. Lung-Vita. The Universal Lung Remedy for consumption," which said several statements, and each of them, were false and misleading, in that said Lung-Vita consisted essentially of a petroleum oil, saponifiable oil, and a solution containing sugar and glycerin, with a small quantity of benzoic acid, and said drug contained no ingredients, nor combination of ingredients, capable of producing the therapeutic or curative effects claimed for it in said statements, nor any of them, and in that said drug Lung-Vita was not a tissue builder and had no beneficial effect for persons in a weakened or run-down state of health, and that it would not invade the tissues occupied by tubercular bacilli, and that tubercular bacilli would not recede or give back or be destroyed when said drug was taken by a tubercular person, and that Lung-Vita did not act as a medicament in the blood wherever there is circulation of blood; that it did not aid in the production of blood cells or in the building of tissue, and in that Lung-Vita did not force away or destroy diseased or broken down tissue or occupy its place, and in that it did not form cicatrices or close up or heal over their walls, and did not preserve surrounding structures, and in that it did not separate the bad tissue from the good, and that said drug was not an universal lung remedy for consumption, tuberculosis, or asthma, and was, in fact, no remedy at all for any of said diseases. Misbranding was alleged for the further reason that said several statements above set forth were each false and fraudulent, and each of them was applied to said article knowingly, and in reckless and wanton disregard of its truth or

falsity so as to represent falsely and fraudulently to the purchasers thereof, and to create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, for the prevention and cure of consumption and asthma, and for the destruction of tubercular bacilli, and for the building of healthy tissue, when, in truth and in fact, said article was not, in whole or in part, so composed, and did not contain such ingredients or medicinal agents.

On December 29, 1915, the answer of the Nashville Medicine Co., Nashville, Tenn., claimant, that had appeared and made claim to the property, having been withdrawn by stipulation and said claimant having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4512. Adulteration and misbranding of oats. U. S. * * * v. 1200 Sacks of Oats. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6660. I. S. No. 3382-k. S. No. E-326.)

On or about June 24, 1915, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1200 sacks, each containing about 100 pounds, of an article purporting to be oats, remaining unsold in the original unbroken packages at Tampa, Fla., alleging that the article had been shipped on May 21, 1915, and transported from the State of Tennessee into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act. The sacks were labeled: "100 Lbs. gross P-K White Oats, Tampa, Florida."

Adulteration of the article was alleged in the libel for the reason that it was labeled as white oats and other substances, to wit, barley, weed seeds, chaff, and other extraneous matter, had been substituted in part for the said white oats and had been mixed and packed therewith so as to reduce, lower, and injuriously affect their quality or strength.

Misbranding was alleged for the reason that the statement "100 Lbs. gross P-K White Oats, Tampa, Florida" was a false statement as to the ingredients and substances contained in the sacks, in that they contained 25 per cent of barley, 3 per cent of weed seed, chaff, and other extraneous material. Misbranding was alleged for the further reason that the quantity of the contents was not plainly and conspicuously marked on the outside of the sacks in terms of weight, measure, or numerical count in that the gross weight of said sacks, instead of the contents thereof, was labeled upon the outside of said sacks.

On July 6, 1915, the Trenholm-Kolp Co., Memphis, Tenn., claimant, having appeared and filed its answer, admitting the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$2,500 in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4513. Adulteration and misbranding of oats. U. S. * * * v. 320 Bags of Oats. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6661. I. S. No. 15960-k. S. No. E-303.)

On or about June 30, 1915, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 320 bags of an article purporting to be oats, remaining unsold in the original unbroken packages at Orlando, Fla., alleging that the article had been shipped on May 27, 1915, and transported from the State of Kentucky into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: "Callahan's A Brand Fancy Clipped White Oats 100 Lbs."

Adulteration of the article was alleged in the libel for the reason that it was labeled as fancy clipped white oats, and another substance, to wit, added water (goods) had been substituted in part therefor and had been mixed and packed with said fancy clipped white oats, so as to reduce, lower, and injuriously affect their quality or strength.

Misbranding was alleged for the reason that the statement "Callahan's A Brand Fancy Clipped White Oats" was a false statement as to the ingredients and substances contained in said bags and that said statement was false and misleading in that said bags contained, to wit, added water (goods).

On July 12, 1915, Callahan & Sons, (Inc.), Louisville, Ky., having filed their claim and having declined to plead further or offer proof, judgment of condemnation and forfeiture was entered, and said claimant company having executed a good and sufficient bond in the sum of \$1,000, in conformity with section 10 of the act, and said bond having been approved by the court, it was ordered that the product should be delivered to said claimant upon payment of the costs of the proceedings.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4514. Adulteration and misbranding of oats. U. S. * * * v. 61 Sacks of Oats. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6671. I. S. No. 3384-k. S. No. E-338.)

On July 1, 1915, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 61 sacks, each containing 99½ pounds, of an article purporting to be oats, remaining unsold in the original unbroken packages at Tampa, Fla., alleging that the article had been shipped on May 15, 1915, and transported from the State of Louisiana into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: "99½ Lbs. Net Crescent Clipped Oats, Tampa, Fla."

Adulteration of the article was alleged in the libel for the reason that it was labeled "Clipped Oats," and that other substances, to wit, barley, weed seeds, chaff, and shriveled and shrunken wheat, had been substituted in part for said (white) oats and had been mixed and packed therewith so as to reduce, lower, and injuriously affect the quality and strength thereof.

Misbranding was alleged for the reason that the statement, to wit, "99½ Lbs. Net Crescent Clipped Oats, Tampa, Fla.," was a false and misleading statement as to the ingredients and substances contained in the sacks in that they contained barley, weed seeds, chaff, and shriveled and shrunken wheat (in addition to oats).

On July 9, 1915, J. T. Gibbons, New Orleans, La., claimant, having filed his answer admitting the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$250 in conformity with section 10 of the act, one of the conditions of said bond being that the oats should be properly labeled before they were disposed of.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4515. Adulteration and misbranding of oats. U. S. * * * v. 55 Sacks of Oats. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6673. I. S. No. 3383-k. S. No. E-337.)

On July 1, 1915, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 55 sacks, each containing 99.28 pounds net, of an article purporting to be oats, remaining unsold in the original unbroken packages at Tampa, Fla., alleging that the article had been shipped on April 19, 1915, and transported from the State of Tennessee into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: "Wade's W Oats. 100 Lbs. Gross, 99.28 Lbs. Net."

Adulteration of the article was alleged in the libel for the reason that it was labeled as "W Oats," and other substances, to wit, barley, weed seeds, and chaff, had been substituted for the said W oats, and had been mixed and packed with the same so as to reduce, lower, and injuriously affect the quality and strength thereof.

Misbranding was alleged for the reason that the statement, "Wade's W Oats. 100 Lbs. Gross, 99.28 Lbs. Net," was a false and misleading statement as to the ingredients and substances contained in the sacks, in that they contained (in addition to oats) barley, weed seeds, and chaff.

On July 15, 1915, G. Ficarrotta & Co., Tampa, Fla., claimant, having filed its answer admitting the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$250 in conformity with section 10 of the act, one of the conditions of said bond being that the oats should be properly branded prior to their sale.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4516. Adulteration and misbranding of Burgundy. U. S. v. Victor Casazza et al. (Victory Casazza and Bro.). Plea of guilty. Fine, \$25. (F. & D. No. 6674. I. S. No. 2712-k.)

On March 20, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Victor Casazza and Louis Casazza, trading as Victor Casazza and Bro., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on December 26, 1914, from the State of New York into the State of Massachusetts, of a quantity of Burgundy, which was adulterated and misbranded. The article was labeled, in part: (On one end of barrel) "V. Casazza & Bro. Barbara 190 192 Prince St. New York." (Other end of barrel) "Burgundy Gals. 52."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to be a low-grade claret type of wine, and that it was not Burgundy wine or wine of the Burgundy type.

Adulteration of the article was alleged in the information for the reason that an inferior wine of the claret type had been substituted, in whole or in part, for wine of the Burgundy type, which the article purported to be.

Misbranding was alleged for the reason that the following statement regarding the article and the ingredients and substances contained therein, appearing on the label aforesaid, to wit, "Burgundy," was false and misleading in that it indicated to purchasers thereof that the article consisted of wine of the Burgundy type, and was such as to deceive and mislead purchasers into the belief that it consisted of wine of the Burgundy type, when, in truth and in fact, it did not, but did consist of, to wit, an inferior wine of the claret type. Misbranding was alleged for the further reason that the article was an inferior wine of the claret type and was offered for sale under the distinctive name of another article, to wit, wine of the Burgundy type.

On March 24, 1916, a plea of guilty was entered on behalf of the defendant firm, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4517. Adulteration and misbranding of "Jamaica Ginger" (extract). U. S. v. Fialla & Eppler, a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 6676. I. S. No. 1094-h.)

On November 8, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Fialla & Eppler, a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on September 17, 1913, from the State of New York into the State of Pennsylvania, of a quantity of Jamaica ginger, which was adulterated and misbranded. The article was labeled: (Shipping package) "J. H." (Remainder of name illegible) "U. S. Gauger 2 Dist. N. Y. Sept. 17, 1913. Proof 0090 Ginger Fialla & Eppler Inc. Rectifiers & Wholesale Liquor Dealers Ninth Ave. N. Y." (On head) "Ginger Flavor." (Other head) "Fialla & Eppler, New York." (Tin over bung) (Stamp No.) "1255703."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	39.46
Methyl alcohol-----	None.
Ginger: Present.	
Capsicum: Present.	
Total solids (per cent)-----	1.08
Alcohol-soluble solids (per cent)-----	0.65
Water-soluble solids (per cent)-----	1.05
Total solids soluble in alcohol (per cent)-----	60.67
Total solids soluble in water (per cent)-----	97.52
Color: Caramel present.	

The product is a dilute extract of ginger, reinforced with capsicum and colored with caramel.

Adulteration of the article was alleged in the information for the reason that a dilute alcoholic extract of ginger, reinforced with capsicum and artificially colored, had been substituted, in whole or in part, for genuine extract of ginger, which the article purported to be, and for the further reason that the article was an inferior dilute alcoholic extract of ginger reinforced with capsicum and had been colored with caramel in a manner whereby its inferiority to genuine extract of ginger was concealed.

Misbranding was alleged for the reason that the following statement regarding the article or the ingredients or substances contained therein, appearing on the label aforesaid, to wit, "Ginger Flavor," was false and misleading in that it indicated to purchasers thereof, and was such as to deceive and mislead purchasers into the belief, that the article was genuine extract of ginger, when, in truth and in fact, it was not, but was a dilute alcoholic extract of ginger, reinforced with capsicum and artificially colored. Misbranding was alleged for the further reason that the article was a dilute alcoholic extract of ginger, reinforced with capsicum and artificially colored, and was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, Jamaica ginger.

On November 24, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4518. Adulteration and misbranding of oats. U. S. * * * v. 89 Sacks of Oats. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6680. I. S. No. 3385-k. S. No. E-339.)

On July 2, 1915, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 89 sacks, each containing about 100 pounds, of an article purporting to be oats, remaining unsold in the original unbroken packages at Tampa, Fla., alleging that the article had been shipped on May 24, 1915, and transported from the State of Tennessee into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: "100 Lbs Gross T-K White Oats, Tampa, Florida."

Adulteration of the article was alleged in the libel for the reason that it was labeled as white oats, and other substances, to wit, barley, chaff, and weed seeds, had been substituted in part for said white oats and had been mixed and packed therewith so as to reduce, lower, and injuriously affect the quality and strength thereof.

Misbranding was alleged for the reason that the statement, to wit, "100 Lbs Gross T-K White Oats, Tampa, Florida," was a false and misleading statement as to the ingredients and substances contained in the sacks, in that they contained (in addition to oats) barley, chaff, and weed seeds. Misbranding was alleged for the further reason that the quantity of the contents was not plainly and conspicuously marked on the outside of the sacks in terms of weight, measure, or numerical count, in that the gross weight of the packages, instead of the contents thereof, was labeled upon the outside of the sacks.

On July 12, 1915, the Trenholm-Kolp Co., Memphis, Tenn., claimant having filed its answer admitting the allegations in the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$250, in conformity with section 10 of the act, one of the conditions of said bond being that the oats should be properly labeled before the sale thereof.

CARL VROOMAN, Acting Secretary of Agriculture.

4519. Adulteration and misbranding of oats. U. S. * * * v. 158 Sacks of Oats. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6681. I. S. No. 3387-k. S. No. E-340.)

On July 2, 1915, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 158 sacks, each containing about 99 $\frac{1}{4}$ pounds, of an article purporting to be oats, remaining unsold in the original unbroken packages at Tampa, Fla., alleging that the article had been shipped on May 26, 1915, and transported from the State of Tennessee into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: "W. R. Tate Red Star Oats, Nashville, Tenn. 99 $\frac{1}{4}$ Lbs. Net."

Adulteration of the article was alleged in the libel for the reason that it was labeled as "Red Star Oats," and other substances, to wit, barley, wheat, chaff, and weed seeds, had been substituted in part for said oats and had been mixed and packed therewith so as to reduce, lower, and injuriously affect the quality and strength thereof.

Misbranding was alleged for the reason that the statement "W. R. Tate Red Star Oats, Nashville, Tenn. 99 $\frac{1}{4}$ Lbs.," was a false and misleading statement as to the ingredients and substances contained in the sacks in that they contained (in addition to oats) barley, wheat, chaff, and weed seeds. Misbranding was alleged for the further reason that the statement "W. R. Tate Red Star Oats, Nashville, Tenn. 99 $\frac{1}{4}$ Lbs. Net," was a false and misleading statement as to the number of pounds of feed contained in the sacks, in that they contained an average of 95 $\frac{1}{4}$ pounds gross, or a shortage of more than 4 pounds per sack.

On July 9, 1915, W. R. Tate, Nashville, Tenn., claimant, having filed his answer admitting the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$500, in conformity with section 10 of the act, one of the conditions being that the oats should be properly labeled before the sale thereof.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4520. Adulteration and misbranding of oats. U. S. * * * v. 41 Sacks of Oats. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6682. I. S. No. 3389-k. S. No. E-341.)

On July 2, 1915, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 41 sacks, each containing about 100 pounds, of an article purporting to be oats, remaining unsold in the original unbroken packages at Tampa, Fla., alleging that the article had been shipped on May 24, 1915, and transported from the State of Louisiana into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: "100 Lbs. Rex Oats."

Adulteration of the article was alleged in the libel for the reason that it was labeled as oats, and other substances, to wit, barley, wheat, and chaff, had been substituted in part for said oats and had been mixed and packed therewith so as to reduce, lower, and injuriously affect the quality and strength thereof.

Misbranding was alleged for the reason that the statement, "100 Lbs. Rex Oats," was a false and misleading statement as to the ingredients and substances contained in the sacks, in that they contained (in addition to oats) barley, wheat, and chaff.

On July 14, 1915, the Milam-Morgan Co., New Orleans, La., claimant, having filed its answer admitting the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of bond in the sum of \$250, in conformity with section 10 of the act, one of the conditions being that the oats should be properly labeled before the sale thereof.

CARL VROOMAN, Acting Secretary of Agriculture.

4521. Alleged misbranding of "Sul-Ferro-Sol." U. S. * * * v. 11 Dozen * * * and 4 Dozen * * * Bottles of * * * "Sul-Ferro-Sol." Tried to the court. Judgment for claimant of product. Libel ordered dismissed. (F. & D. No. 6692. I. S. No. 3328-k. S. No. E-342.)

On July 8, 1915, the United States attorney for the Western District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure of 11 dozen small size and 4 dozen large size bottles of a product known as "Sul-Ferro-Sol," remaining unsold in the original unbroken packages at Greenville, S. C., alleging that the article had been shipped by the Sul-Ferro-Sol Co., Birmingham, Ala., on March 31 and April 13, 1915, and transported from the State of Alabama into the State of South Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled: "Sul-Ferro-Sol the most wonderful nerve tonic and blood purifier ever discovered. This wonderful compound is of exceptional value in the treatment of Pellagra, Dyspepsia, Indigestion, Colic, Cholera, Diarrhea, Cholera Morbus, Flux, Loss of Appetite, Rheumatism, Eczema and Female Complaint. When used according to directions in the above diseases satisfaction is guaranteed. Dose * * * See circular for special directions. Price \$1.00. Guaranteed by Sul-Ferro-Sol Company, under the Food and Drugs Act, June 30th, 1906. Serial No. 50883. Prepared by Sul-Ferro-Sol Company, Birmingham, Ala." (Bottle label, in part) "The most wonderful nerve tonic and blood purifier. This wonderful compound is of exceptional value in the treatment of pellagra, dyspepsia, indigestion, colic, cholera, diarrhoea, cholera morbus, flux, loss of appetite, rheumatism, eczema and female complaint. When used according to directions for the above diseases, satisfaction is guaranteed." (Carton, in part) "This remedy has been very successful for pellagra. Positive guarantee * * *. Sul-Ferro-Sol is guaranteed to give satisfaction and do what we claim for it." (Circular) "The greatest and most successful remedial agent known to mankind * * * has given relief and satisfaction where all human agencies have failed * * * best remedy in the world for all skin diseases—tetter, eczema, ringworm, itch, for colic or botts in horses * * * for hog cholera, for chicken cholera, for rheumatism in horses * * * nervous indigestion cured * * * greatest remedy in the world * * * when I had used four bottles of Sul-ferro-sol I was well * * * completely cured of pellagra * * * declared to be pellagra * * *." (Booklet) "This wonderful compound has been found to begin at the seat of trouble always and to eradicate first causes * * *. The following list of diseases for which Sul-Ferro-Sol has been confidently recommended are only those in which substantial relief and cures have been derived * * *. Blood impurities, blood purifier, dyspepsia, and indigestion * * * healing the irritated walls of the stomach, purifying and strengthening the gastric juices, aiding the dissolution and assimilation of the food * * *."

It was alleged in the libel that analysis of the product showed that it contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed on the bottle label, testimonials, circulars, booklets, and cartons hereinbefore set out (and referred to). It was further alleged that said marks, brands, labels, figures, testimonials, circulars, cartons, and booklets aforesaid were misleading, false, and fraudulent, and that the product was misbranded regarding the curative and therapeutic effects thereof, or any of the ingredients contained therein, and that said product would not produce the curative and therapeutic effects set forth and claimed for it as aforesaid.

On December 15, 1915, the case having come on for trial before the court without the intervention of a jury, evidence was introduced by the Government and the Sul-Ferro-Sol Co., claimant, and at the conclusion thereof the case was argued by counsel and taken under advisement by the court. On January 15, 1916, a finding was made in favor of the contentions of the claimant company, and the libel was ordered dismissed by the court.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4522. Misbranding of "Greene's Warranted Syrup of Tar." U. S. * * *
v. Lester H. Greene Co., a corporation. Plea of guilty. Fine, \$50.
(F. & D. No. 6696. I. S. No. 8900-e.)

On January 29, 1916, the United States attorney for the District of Vermont, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Lester H. Greene Co., a corporation, Montpelier, Vt., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about March 24, 1913, from the State of Vermont into the State of New York, of a quantity of "Greene's Warranted Syrup of Tar," which was misbranded. The article was labeled: (On carton) "Guaranteed by The Lester H. Greene Co., under the Food and Drugs Act, June 30, 1906. No. 8622. Greene's warranted Syrup of Tar Trade (G in triangle) Mark. Contains 3% of Alcohol. Prepared by The Lester H. Greene Co. Montpelier Vt. and Montreal, Can. Proprietors. Each Fluid Ounce Also Contains Heroin 1-4 Gr. Chloroform, 3 Min. Compounded in proportions and by processes known only to the Proprietors. A Rapid and Certain Remedy for all Throat and Lung Affections, Coughs, Colds and Bronchitis Asthmatic and Catarrhal Coughs Relieves Croup and Whooping Cough in Ten Minutes. Breaks up La Grippe and prevents pneumonia. Our Guarantee. The Retailer is hereby authorized to refund the purchase price on one bottle of any size of Greene's Syrup of Tar, if unsatisfactory to the customer. Price, 25c., 50c. and \$1.00. Style of Package adopted Oct. 1, 1907." (Top) "A Warranted Remedy." (Side and back) Testimonials. (Side) "Warranted to give Satisfaction or no Pay Read the Testimonials Directions Inside." (On bottle) "No. 8622 Guaranteed under the Food and Drugs Act, June 30, 1906. Greene's warranted Syrup of Tar. Contains 3% of Alcohol Prepared by The Lester H. Greene Co. Montpelier Vt., and Montreal, Can. Proprietors Each Fluid Ounce Also Contains Heroin 1-4 Gr. Chloroform 3 Min. Compounded in proportions and by processes known only to the Proprietors. A rapid and certain remedy for all Throat and Lung Affections Coughs, Colds and Bronchitis, Asthmatic and Catarrhal Coughs Relieves Croup and Whooping Cough in Ten Minutes. Breaks up La Grippe and Prevents Pneumonia." (Side) "Directions For Use. Shake the bottle before using. Dose for an adult, one teaspoonful every one and a half hours until relieved, then four or five times a day, as necessary. For children 10 to 15 years, one-half teaspoonful; five to ten years, one quarter teaspoonful as above. To receive the best results from the use of this remedy, follow the directions carefully. Don't take a dose from the bottle, but measure it in a teaspoon. Don't take it every 15 minutes, but as often as directions say. Don't expect a cure if you only take it twice a day. Do follow directions and you will get a speedy relief. A Cold is the forerunner of a Cough, and if neglected often ends in pneumonia or consumption. The wetting of the feet, exposure in bad weather, a sudden chill, a quick change in the weather and at times a mere nothing brings on a cold. The first symptoms are sneezing, difficulty in breathing through the nose, and repeated chills; failing to treat these as you should, the cold increases its hold, water begins to run from the eyes and nose, the bronchial tubes become inflamed and hoarseness follows; nor does it stop here, it follows down the bronchial tubes, causing congestion as it goes, until it reaches the lungs; now unless immediate action is taken it soon establishes itself permanently and the patient dies of pneumonia, or that long lingering disease consumption. Beware of these symptoms and cure the cold in its first stages. Greene's Syrup of Tar will do it. Treatment. In mild cases soak the feet in warm water, keep warm and use Greene's Syrup of Tar. If more serious, place the patient in bed, apply mus-

tard paste to the lungs, and bottles filled with hot water to the feet, using Greene's Syrup of Tar in the meantime. Persons suffering from a cold must keep the bowels loose; for this purpose use Greene's Little Liver Pellets." The circular or pamphlet accompanying the article contained, among other things, the following: "Greene's Warranted Syrup of Tar. A remedy for Coughs, Colds, Croup, Bronchitis and all Throat and Lung Affections."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	3.2
Solids, chiefly sugar (grams per 100 cc)-----	78.47
Chloroform (minims per fluid ounce)-----	1.93
Heroin (grain per fluid ounce)-----	0.195
Tar-----	Present.
Potassium salts-----	Present.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit: (On bottle) "Greene's Warranted Syrup of Tar * * * a rapid and certain remedy for all throat and lung affections * * *." (On carton) "Greene's Syrup of Tar * * * breaks up la grippe and prevents pneumonia * * *," and included in the circular or pamphlet aforesaid, to wit: "Greene's Warranted Syrup of Tar. A remedy for * * * croup, and all throat and lung affections," were false and fraudulent in that the same were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for all throat and lung affections, in breaking up la grippe, as a preventive of pneumonia, and as a remedy for croup, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents.

On March 1, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4523. Misbranding of "C. K. Wilson's Original Wa-Hoo-Bitters". U. S. * * * v. Charles Kent Wilson, trading as Old Indian Medicine Co. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 6697. I. S. No. 4219-h.)

On October 26, 1915, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against Charles Kent Wilson, trading as the Old Indian Medicine Co., Toledo, Ohio, alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about February 6, 1914, from the State of Ohio into the State of Wisconsin, of a quantity of "C. K. Wilson's Original Wa-Hoo Bitters," which was misbranded. The article was labeled: (Bottle) "C. K. Wilson's Original Wa-Hoo-Bitters The Great Blood and Nerve Remedy (Representation of Indian Heads) This Preparation contains the following ingredients: Prickly Ash, Wa-Hoo, Wild Cherry, Sassafras, Gentian and Senna, Magnesium Sulphate, Salicylic Acid. A reliable remedy for Rheumatism, Blood Disorders, Stomach Troubles, Liver and Kidney Complaint, Sick Headache, Malaria, Indigestion, Dyspepsia, Constipation, Catarrh of the Stomach, Nervousness, Skin Diseases, Salt Rheum, Scrofula and Neuralgia. Female Weakness and Irregularities promptly relieved and permanently healed. A Healer for Catarrhal Troubles of any Mucus Lined Passages, Price \$1.00 per bottle Manufactured by Old Indian Medicine Co., Battle Creek, Michigan Toledo, Ohio. New Label Adopted Jan. 1, 1912." (On sides) "Wa-Hoo Bitters The Great Blood and Nerve Tonic." (On back) "We Guarantee that if after a fair trial the Medicine does not do as represented, you can return the bottle to our Retailer and your money will be refunded. A purely vegetable compound, free from all mineral poison. Cleanses all bilious derangements and impure blood from the system. Restores weakened constitutions. Tones the Nerves and creates an appetite. Directions. For adults, a tablespoonful night and morning. If too strong regulate to suit the system. Children, from 3 to 12 years, a teaspoonful before retiring; from 12 to 16 years, a teaspoonful night and morning." (Directions in German follow) "Wa-Hoo contains in a condensed form all the elements necessary to give new life and richness to the blood and restores shattered nerves. An unfailing specific for such diseases as partial Paralysis, St. Vitus' Dance, and after effects of La Grippe, Palpitation of the Heart, all forms of weakness, either in male or female, and all diseases resulting from vitiated humors in the blood. Guaranteed by Old Indian Medicine Co., under Pure Food and Drugs Act, June 30, 1906. Serial No. 5718."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product was a slightly sweetened aqueous solution of Epsom salt (0.90 gram per 100 cc), salicylic acid (0.40 gram per 100 cc), and a laxative plant drug, with indications of sassafras, gentian, and prickly ash.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit: "A Reliable Remedy for * * * Malaria * * * Catarrh of the Stomach * * * Salt Rheum * * * Scrofula and Neuralgia. * * * An unfailing specific for such diseases as partial Paralysis, St. Vitus' Dance, and * * * all forms of weakness either in male or female, and all diseases resulting from vitiated humors in the blood * * *," were false and fraudulent in that the same were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the pur-

chasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for malaria, catarrh of the stomach, salt rheum, scrofula, and neuralgia, as an unfailing specific for such diseases as partial paralysis, St. Vitus' dance, and all forms of weakness, either in male or female, and effective in all diseases resulting from vitiated humors in the blood, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents.

On April 4, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

CARL VBROOMAN, *Acting Secretary of Agriculture.*

4524. Adulteration and misbranding of gelatin. U. S. v. Clarkson Glue Co., a corporation (Clarkson Gelatin Works). Plea of guilty. Fine, \$50 and costs. (F. & D. No. 6698. I. S. Nos. 9676-h, 9990-h, 20407-h, 21534-h, 28101-h.)

On December 30, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Clarkson Glue Co., a corporation, trading as the Clarkson Gelatin Works, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about June 23, 1914, from the State of Illinois into the States of Iowa, Kentucky, and Michigan; on or about June 18, 1914, from the State of Illinois into the State of New York; and, on or about May 13, 1914, from the State of Illinois into the State of Ohio, of quantities of gelatin which was adulterated and misbranded.

The Iowa shipment was invoiced: "104# Clarkson Gelatine 104# 25½¢ \$26.52."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Copper, as Cu (part per million)-----	114
Zinc, as Zn (parts per million)-----	790
Sucrose by copper (per cent)-----	12. 13
Sodium bicarbonate, from ash (per cent)-----	0. 76
Sodium bicarbonate, by titration (per cent)-----	0. 73

The New York shipment was invoiced: "½ Bbl. Clarkson Ground Gelatine 107# 25 26.75."

Analysis of a sample of this product by said Bureau of Chemistry showed the following results:

Alkalinity of soluble ash (as NaHCO ₃) (per cent)-----	0. 10
Alkalinity of ice water extract of sample (as NaHCO ₃) (per cent)-----	0. 10
Copper (parts per million)-----	122
Zinc (parts per million)-----	898
Arsenic (parts per million)-----	1. 5
Reducing sugars, before inversion: Trace.	
Sucrose by copper, in original sample (per cent)-----	11. 02
Ash, in original sample (per cent)-----	2. 25
Sucrose by copper (in portion passing through 60 mesh sieve) (per cent)-----	38. 49
Ash (in portion passing through 60 mesh sieve) (per cent)-----	4. 20

Tests for sodium bicarbonate: Positive.

The Kentucky shipment was invoiced: "100# Clarkson V. M. I. Gelatine 21½ 21.75."

Analysis of a sample of this product by said Bureau of Chemistry showed the following results:

Copper, as Cu (parts per million)-----	114
Zinc, as Zn (parts per million)-----	807
Sucrose by copper (per cent)-----	11. 37
Sodium bicarbonate, from ash (per cent)-----	0. 68
Sodium bicarbonate, by titration (per cent)-----	0. 64

Adulteration of the article in each of these shipments was alleged in the information for the reason that sugar and sodium bicarbonate had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength and had been substituted in part for gelatin, which the

article purported to be. Adulteration was alleged for the further reason that the article contained added poisonous and deleterious ingredients, to wit, copper and zinc, which might render the article injurious to health.

Misbranding was alleged for the reason that the article was a mixture of gelatin, sugar, bicarbonate of soda, zinc, and copper, and was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, gelatin.

The Ohio shipment was invoiced: "1 Bbl. Clarkson Ground Gelatine 486#—18¢ 87.48."

Analysis of a sample of this product by said Bureau of Chemistry showed the following results:

Arsenic, as As_2O_3 (parts per million)-----	2.5
Copper, as Cu (parts per million)-----	30
Zinc, as Zn (parts per million)-----	1961
Sulphur dioxid, as SO_2 (parts per million)-----	4256
Fat (per cent)-----	0.48
Ash (per cent)-----	3.01
Jelly strength: 3 per cent solution in ice box at 20° C. did not form a jelly.	

Bad odor.

The product is a glue and not a gelatin.

Adulteration of the article was alleged in the information for the reason that glue had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and, further, in that it contained added poisonous and deleterious ingredients, to wit, arsenic, copper, and zinc, which might render it injurious to health.

Misbranding was alleged for the reason that the article was a mixture of gelatin, glue, arsenic, zinc, and copper, and was an imitation of, and offered for sale under the distinctive name of, another article, to wit, gelatin.

The Michigan shipment was invoiced: "1 bbl. Clarkson Ground Gelatine, 185# 18-1/2¢ 34.23."

Analysis of a sample of this article by said Bureau of Chemistry showed the following results:

Arsenic, as As_2O_3 (parts per million)-----	3
Copper, as Cu (parts per million)-----	104
Zinc, as Zn (parts per million)-----	643
Sulphur dioxid, as SO_2 (parts per million)-----	3419
Sodium bicarbonate, by titration (per cent)-----	0.55
Ash (per cent)-----	2.59
Fat (per cent)-----	0.55
Jelly strength: 3 per cent solution at 20° C. did not form a jelly.	

Bad odor.

The product is a glue and not a gelatin.

Adulteration of the article was alleged in the information for the reason that glue and sodium bicarbonate had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and, further, in that it contained added poisonous and deleterious ingredients, to wit, arsenic, copper, and zinc, which might render the article injurious to health.

Misbranding was alleged for the reason that said article was a mixture of gelatin, glue, sodium bicarbonate, arsenic, zinc, and copper and was an imitation of, and offered for sale under the distinctive name of, another article, to wit, gelatin.

On January 31, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4525. Adulteration and misbranding of cognac. U. S. v. Adolf Prince et al. (formerly Adolf Prince Co.). Plea of guilty. Fine, \$50. (F. & D. No. 6699. I. S. No. 21542-h.)

On October 13, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Adolf Prince and Leonard Prince, heretofore officers and members of the Adolf Prince Co., formerly a corporation, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on June 19, 1914, from the State of New York into the State of Pennsylvania, of a quantity of cognac, which was adulterated and misbranded. The article was labeled: (On cap) (design coat of arms) "Cognac" (design three stars.) (Shoulder label) Design of three stars. (Principal label) "Trade Mark" (design coat of arms) "Fine Brandy Cognac Type Tissot Frères Brand" (design grape vine with bunches of grapes) "Guaranteed under the Pure Food & Drugs Act June 30th, 1906. U. S. Serial No. 2496."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results, expressed as parts per 100,000 of 100° proof alcohol, unless otherwise stated:

Proof (degrees) -----	80.1
Total acids, as acetic -----	8.2
Esters, as acetic -----	6.6
Fusel oil -----	7.1

Paraldehyde test for caramel: Positive.

Sample consists wholly or largely of neutral spirits colored in imitation of brandy, but very little if any brandy is present.

Adulteration of the article was alleged in the information for the reason that a product of domestic origin, to wit, neutral spirits, colored in imitation of brandy, had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality or strength, and had been substituted in whole or in part for cognac, which the article purported to be. Adulteration was alleged for the further reason that the article by its label purported to be a brandy of cognac type, that is, a brandy of the type produced in the Cognac district of France, whereas, in truth and in fact, it was an imitation product of domestic origin, artificially colored and consisting largely of neutral spirits, which had been substituted in whole or in part for "Brandy, cognac type", which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "cognac", borne on the cap attached to the bottle, regarding the article and the ingredients and substances contained therein, was false and misleading in that it indicated, and was such as to deceive and mislead the purchaser into the belief, that the article was cognac, a brandy produced in the Cognac district of France, whereas, in truth and in fact, it was not, but was an imitation product of domestic origin, consisting in whole or in part of neutral spirits, colored in imitation of brandy. Misbranding was alleged for the further reason that the statement, to wit, "Fine brandy cognac type", regarding the article and the ingredients and substances contained therein, and the design of three stars borne on the neck of the bottle, were false and misleading in that they indicated, and were such as to deceive and mislead the purchaser into the belief, that the article was a foreign brandy of the type produced in the Cognac district of France, whereas, in truth and in fact, it was not, but was an imitation product consisting largely of neutral spirits, colored in imitation of brandy.

On October 21, 1915, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4526. Adulteration of tomato pulp. U. S. * * * v. 558 Cases * * * of Tomato Pulp. Default decree of condemnation and forfeiture. Product ordered sold under bond. (F. & D. No. 6792. I. S. No. 14915-k. S. No. C-267.)

On July 8, 1915, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 558 cases, more or less, of tomato pulp, remaining unsold in the original unbroken packages at Galveston, Tex., alleging that the article had been shipped on May 15, 1915, and transported from the State of Maryland into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The cases were labeled: "4 doz. cans 10 ounces each No. 1 Roberts Bros. Big R Brand trade mark Tomato Pulp Main Office Baltimore, Md." The cans in the cases were labeled: "Big R Brand Tomato pulp made from pieces and trimmings of tomatoes Contents weigh 10 oz. Distributed by Roberts Bros. Main Office Baltimore, Md."

It was alleged in the libel that the article was adulterated by being decomposed and putrid, and that being so decomposed and putrid made the same deleterious and might render the same injurious to health.

On October 7, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it appearing to the court that the product was not unfit or deleterious for use as food for hogs, it was ordered that the same should be sold by the United States marshal, and that the purchaser thereof should give a good and sufficient bond in the sum of \$250, conditioned that the pulp should not be disposed of contrary to law.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4527. Adulteration and misbranding of vinegar. U. S. * * * v. 5 Barrels of Vinegar. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6713. I. S. No. 14079-k. S. No. C-269.)

On or about July 9, 1915, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of five barrels of vinegar, remaining unsold in the original unbroken packages at Sioux City, Iowa, alleging that the article had been shipped, on or about May 28, 1915, and transported from the State of Nebraska into the State of Iowa, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, in part: "80 Sugar Cane Vinegar."

It was alleged in the libel that the article was adulterated and misbranded for the reason that the barrels did not contain 80-grain sugar-cane vinegar, as they purported to contain, and the branding and labeling of said barrels as representing that they contained 80-grain sugar-cane vinegar was misleading and false, so as to deceive and mislead the purchaser. It was further alleged that each of the barrels bore a statement regarding the ingredients and substances contained therein which was false and misleading, in that the barrels did not contain 80-grain sugar-cane vinegar, but (the article) consisted, in whole or in part, of distilled vinegar which had been mixed and prepared in imitation of 80-grain sugar-cane vinegar so as to reduce and lower its quality and strength.

On October 20, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal, and that he should sell the empty barrels.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4528. Adulteration of tomato paste. U. S. * * * v. Alloway Packing Co., a corporation. Plea of non vult. Fine, \$25. (F. & D. No. 6714. I. S. No. 220-k.)

On November 15, 1915, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Alloway Packing Co., a corporation, Alloway, N. J., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 2, 1914, from the State of New Jersey into the State of New York, of a quantity of tomato paste, which was adulterated. The article was labeled: (On can) "Tomato Paste" (spray of small tomatoes) "Red Made from whole tomatoes and trimmings Direzione. Per una lb. di maccheroni se ne usa un cucchiarino di caffè e fuso nell' acqua o brodo. Si aumente la dose per ogni lb. di maccheroni I medisimos i usa per carne arrosto staufato, ecc., ecc. Da buon gusto alla carne, buon odore (e quello) che piu importa un delicato sapone. Directions. For one pound of maccheroni use one teaspoonful dissolved in water. Add the same quantity for each pound of maccheroni. The same is used for Roast Meats, Stews, etc., etc. It flavors the meat and gives it a nice coloring. Alloway Pkg Co. Alloway, N. J. Manufactured in the United States Net weight 14 oz." (Representation of waitress serving man with maccheroni) "'This maccheroni tastes fine. What do you use?' 'Why, we use Antonio Roncoroni Conserva'." (On shipping package) "5 Doz. No. 1. Tomato Paste Packed for George Roncoroni, 148 Spring St., New York, N. Y. Net weight 14 oz." (R. R. Marks) "67222-10-3."

Analysis of a sample of this product by the Bureau of Chemistry of this department showed the following results:

	Sample A	Sample B.
Yeasts and spores per 1/60 cmm-----	45	20
Million bacteria per gram-----	360	370
Per cent of microscopic fields containing mold filaments-----	54	42

Adulteration of the article was alleged in the information for the reason that it consisted, in whole or in part, of a filthy and decomposed vegetable matter.

On March 6, 1916, the defendant company entered a plea of non vult to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4529. **Adulteration of canned pork and beans. U. S. * * * v. 54 Cases**
*** * * of * * * Pork and Beans. Default decree of condem-**
nation, forfeiture, and destruction. (F. & D. No. 6715. I. S. No.
16244-k. S. No. C-272.)

On July 10, 1915, the United States attorney for the Eastern District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 54 cases of canned pork and beans, remaining unsold in the original unbroken packages at Covington, Ky., alleging that the article had been shipped and transported from the State of Indiana into the State of Kentucky, and charging adulteration in violation of the Food and Drugs Act. The cases were labeled, in part: "Two Doz. Riders 'Class A' Brand Especially Selected Quality Beans with Pork & Tomato Sauce packed By The Rider Packing Co Crothersville, Ind." The cans were labeled: "Rider's Class A Brand—Beans with Pork and Tomato Sauce. * * * All our goods are high class quality.—Contents 1 pound 14 ounces." "Rider's Class A. Brand—Beans with Pork and Tomato Sauce—Packed by The Rider Packing Co. Inc., Crothersville, Ind."

Adulteration of the article was alleged in the libel for the reason that it contained, and in part consisted of, a decomposed vegetable substance.

On October 29, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4530. Adulteration of peas. U. S. v. John Cacciola et al. (Cacciola Bros.).
Plea of guilty. Fine, \$20. (F. & D. No. 6717. I. S. No. 543-k.)

On December 17, 1915, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John Cacciola and Guiseppi Cacciola, trading under the firm name of Cacciola Bros., Philadelphia., Pa., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about November 14, 1914, from the State of Pennsylvania into the State of Maryland, of a quantity of peas which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Live larvæ, pupæ, and weevils present. 87.3 per cent of
sample weevil-eaten.

Adulteration of the article was alleged in the information for the reason that it consisted, in whole or in part, of a filthy and decomposed vegetable matter.

On January 10, 1916, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$20.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4531. Misbranding of "Pastor Koenig's Nerve Tonic." U. S. * * * v. 6 Dozen Bottles "Pastor Koenig's Nerve Tonic." Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6719. I. S. No. 4826-k. S. No. E-353.)

On July 13, 1915, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen bottles of "Pastor Koenig's Nerve Tonic," remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the product had been shipped, on or about May 20, 1915, and transported from the State of Illinois into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. The shipping containers were labeled: "Pastor Koenig's Nerve Tonic. A Natural Remedy for Epileptics, St. Vitus Dance, Hypochondria, Nervousness, Dizziness, Inebriety, Sleeplessness, Spinal and Brain Weakness Prepared by Koenig Medicine Co. Chicago, Ill. Price \$1.00. Enclosed Bottle Contains 14 ounces 5 per cent Alcohol."

It was alleged in the libel that the product was misbranded in that the label and circular contained statements, designs, and devices regarding the curative or therapeutic effects of said article, and the ingredients or substances contained therein, which were false and fraudulent in that said article would not produce the curative or therapeutic effects which purchasers would be led to expect by the statements, designs, and devices (quoted or described below), and which were applied to the said article with a knowledge of their falsity for the purpose of defrauding purchasers thereof: (On carton) (In English and German.) "* * * Nerve Tonic. A Natural Remedy for Epileptic Fits, * * * St. Vitus Dance, * * * Dizziness, Inebriety * * * Spinal and Brain Weakness." (Bottle Label) "* * * Nerve Tonic against Epileptic fits, falling sickness, St. Vitus dance * * * inebriety, * * * dizziness." (Booklet) "* * *. The medicine is as the word 'tonic' implies, a composition which restores the natural action of the nerves; * * * in most all cases restores to health and vigor. * * * Long experience and many experiments have brought it to such perfection that good results always follow its use. To effect a speedy and permanent cure it is necessary not only to take the medicine as directed for each particular case. * * * Epilepsy—Falling Sickness—Fits. To effect a cure * * * It is imperative with Pastor Koenig's Nerve Tonic that it must be taken regular and with patience, as a cure can not be expected within a short time."

On October 11, 1915, the Koenig Medicine Co., Chicago, Ill., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of bond in the sum of \$200, in conformity with section 10 of the act, one of the conditions being that the product should be relabeled under the supervision of the Chief of the Philadelphia Laboratory of the Bureau of Chemistry of the Department of Agriculture.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4532. Adulteration of soaked peas. U. S. * * * v. 100 Cases and 50 Cases of Soaked Peas. Default decrees of condemnation and forfeiture. Product ordered sold. (F. & D. Nos. 6723, 6724. I. S. Nos. 15469-k, 15470-k. S. No. C-261.)

On July 13, 1915, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 100 cases and 50 cases respectively, each containing 2 dozen cans, of soaked peas, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped on June 3, 1915, and transported from the State of Maryland into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act. The cases were labeled: "2 dozen net weight on labels No. 2 traveler brand soaked peas packed by Cooke, Shanawolf Co. Baltimore, Maryland." The cans were labeled: "Traveler brand fancy soaked peas contents 1 lb 4 oz packed by Cooke, Shanawolf Co. Baltimore, Md. C. S. Co."

Adulteration of the article was alleged in the libels for the reason that there had been mixed and packed therewith, so as to reduce and lower and injuriously affect the quality and strength of the peas, a large amount of water, and, further, for the reason that said water had been substituted in part for the peas.

On September 22, 1915, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be sold by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4533. Adulteration of soaked peas. U. S. * * * v. 50 Cases of Soaked Peas. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 6725. I. S. No. 15471-k. S. No. C-262.)

On July 13, 1915, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases, each containing 2 dozen cans, of soaked peas, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped on May 18, 1915, and transported from the State of Maryland into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act. The cases were labeled: "2 dozen net weight on labels No. 2 traveler brand soaked peas packed by Cooke Shanawolf Company, Baltimore, Md." Some of the cans were labeled: "Traveler brand soaked peas weight contents 1 lb 4 oz including liquid packed by Cooke Shanawolf Co. Baltimore, Md." The remaining cans were labeled: "Traveler brand fancy soaked peas contents 1 lb 4 oz C. S. Co. packed by Cooke, Shanawolf Co. Baltimore, Md."

Adulteration of the article was alleged in the libel for the reason that there had been mixed and packed therewith, so as to reduce and lower and injuriously affect the quality and strength of the peas, a large amount of water, and, further, for the reason that said water had been substituted in part for the peas.

On September 22, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4534. Adulteration of shell eggs. U. S. v. 105 Cases and 96 * * * Cases of Shell Eggs. Consent decrees of condemnation and forfeiture. Portion of product ordered destroyed—balance ordered released on bond. (F. & D. No. 6728. I. S. Nos. 2890-k, 3260-k. S. No. E-359.)

On July 14, 1915, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 105 cases and 96 cases, each containing 30 dozen, of shell eggs, remaining unsold in the original unbroken packages at Jersey City, N. J., alleging that the 105 cases had been shipped by Philip Mandelker and the 96 cases by Levy & Aufrichtag, New York, N. Y., on July 8, 1915, and transported from the State of New York into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that the eggs consisted, in whole or in part, of a filthy, decomposed, and putrid animal substance.

On January 22, 1916, the said Philip Mandelker and Levy & Aufrichtag, claimants, having consented to decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that upon payment of the costs of the proceedings and the execution of bonds in the sum of \$1,000 each, the eggs should be sorted, and the portion unfit for human food destroyed, and the portion fit for human food examined by a representative of the Bureau of Chemistry and passed upon before same should go forward into commerce, then said product might be delivered to said claimants.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4535. Adulteration and misbranding of rice bran. U. S. * * * v. 280 Sacks of Rice Bran. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6729, I. S. No. 3392-k. S. No. E-350.)

On July 16, 1915, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 280 sacks, more or less, of rice bran, remaining unsold in the original unbroken packages at Tampa, Fla., alleging that the article had been shipped by the Southern Rice Milling Co., of New Orleans, La., and transported from the State of Louisiana into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration was alleged in the libel for the reason that rice hulls had been mixed and packed with and substituted for the article invoiced and sold as rice bran.

It was also alleged in the libel that the article was misbranded in violation of section 8, paragraphs 1 and 2, under "Food," of the aforesaid act.

On August 16, 1915, the said Southern Rice Milling Co., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of all costs of the proceedings and the execution of bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned, in part, that if the product be sold or disposed of under any form of branding, said branding should accurately describe said property.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4536. Adulteration and misbranding of oil of cajuput. U. S. v. Hymes Bros. Co., a corporation. Plea of guilty. Fine, \$10. (F. & D. No. 6736. I. S. No. 11269-k.)

On March 31, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Hymes Bros. Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on December 4, 1914, from the State of New York into the State of Indiana, of a quantity of oil of cajuput, which was adulterated and misbranded. The article was labeled: (Main label on green glass bottle) "Trade Mark Purity Quality Excellence Oil Cajeput Native Hymes Bros. Co. Essential Oils, Drugs, Vanilla Beans, Chemicals Importers and Manufacturers." (On paster) "Guaranteed by Hymes Bros. Co. U. S. Serial No. 18750. Guaranteed under the Food and Drugs Act, June 30, 1906." (Another paster) "22 Oz. Net Wgt." (Red paper seal over cork) "Hymes Bros. Co. New York."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Specific gravity at 25° C.....	0.9055
Rotation in 100 mm. tube.....(degrees) ..	+4.06
Copper: Present.	
Soluble in all proportions of alcohol.	
Soluble in one volume of 80 per cent alcohol.	
Alcoholic solution is neutral to litmus.	
Cineol by U. S. P. assay.....(per cent) ..	25
Cineol by fractionation and arsenic acid assay.....(per cent) ..	22.7
Fraction distilling under 170 degrees.....(per cent) ..	9
Fraction distilling from 170-190 degrees.....(per cent) ..	62

The oil is low in specific gravity, is dextro-rotatory, contains copper, and is deficient in cineol.

Adulteration of the article was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity, as determined by tests laid (down) in said Pharmacopœia official at the time of investigation, in that the specific gravity of the drug at 25° C. was below 0.915, and was, in fact, 0.9055, whereas said Pharmacopœia provides as a test for oil of cajuput that the specific gravity at 25° C. shall be between 0.915 and 0.925; the rotation of said drug at 25° C. was more than -2°, and was in fact +4.06°, whereas said Pharmacopœia provides that the rotation of said drug at 25° C. should not exceed -2°; and said drug contained 25 per cent of cineol, whereas said Pharmacopœia provides that it should contain not less than 55 per cent of cineol; furthermore, said drug contained copper, which is not an ingredient of oil of cajuput, as determined by the test laid down in said Pharmacopœia.

Misbranding was alleged for the reason that the statement, to wit, "Oil Cajeput," borne on the label, regarding the article and the ingredients and substances contained therein, was false and misleading, in that it indicated that said article was a pure oil of cajuput, which said drug is well known to be a product containing not less than 55 per cent of cineol and entirely free from copper, whereas, in truth and in fact, it was not a pure oil of cajuput, but was a product which contained only 25 per cent of cineol, and contained copper.

On April 17, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$10.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4537. Adulteration and misbranding of brandy. U. S. v. Fialla & Eppler, a corporation. Plea of guilty. Fine, \$50. (F. & D. No. 6743. I. S. No. 21535-h.)

On October 13, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Fialla & Eppler, a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on June 6, 1914, from the State of New York into the State of New Jersey, of a quantity of brandy which was adulterated and misbranded. The article was labeled: (Shoulder label) (Design three stars) "Edouard Rivière Brand." (Main label) "F & E Edouard Rivière Brand. Brandy (representation of grape vines and bunches of grapes) This brandy is made in California from carefully selected grapes and bottled under our own supervision. Guaranteed by Fialla & Eppler, New York, Under the Pure Food and Drugs Act, June 30, 1906. Serial Number 17231." (On metal cap) "E R Brand."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results, expressed as parts per 100,000 of 100° proof alcohol, unless otherwise stated:

Proof (degrees)-----	86.8
Total acids, as acetic-----	7.3
Esters, as acetic-----	12.2
Fusel oil-----	8.1

Paraldehyde test for caramel: Positive.

Sample consists wholly or largely of neutral spirits colored in imitation of brandy, but very little, if any, brandy is present.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, neutral spirits, artificially colored in imitation of brandy, had been mixed and packed therewith so as to reduce or lower, and injuriously affect its quality and strength, and had been substituted in whole or in part for genuine brandy, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit "Brandy," borne on the label of the article, regarding it and the ingredients and substances contained therein, was false and misleading, in that it indicated that the article was genuine brandy, and was such as to deceive and mislead the purchaser into the belief that it was genuine brandy, whereas, in truth and in fact, it was not, but was a product composed, in whole or in part, of neutral spirits colored in imitation of brandy.

On October 18, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4538. Adulteration and misbranding of wheat. U. S. * * * v. John M. Frisch et al. (J. M. Frisch & Co.). Plea of guilty. Fine, \$5.
(F. & D. No. 6745. 1. S. Nos. 6096-e, 6097-e, 6098-e, 6099-e, and 6100-e.)

On December 20, 1915, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John M. Frisch and Walter F. Macneal, trading as J. M. Frisch & Co., Baltimore, Md., alleging shipment by said defendants, from the State of Maryland into the State of Florida, on or about March 24, 1913, of two consignments, and on April 2, 1913, of a third consignment, of wheat which was adulterated and misbranded. The wheat in each shipment was labeled: "100 Pounds F Wheat."

Examination of 3 samples from the shipment of April 2, 1913, by the Bureau of Chemistry of this department, showed that they contained, respectively, 51 per cent of rye and 1.5 per cent of other foreign matter; 48 per cent of rye and 1 per cent of other foreign matter; and 51 per cent of rye and 2 per cent of other foreign matter. Adulteration of the wheat in this shipment was alleged for the reason that certain substances, to wit, rye and other foreign material, had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for wheat, which the article purported to be.

Misbranding was alleged in that the following statement appearing on the label aforesaid, to wit, "Wheat," was false and misleading in that it indicated to purchasers thereof, and deceived and misled purchasers into the belief, that the article was composed wholly of wheat, when, in truth and in fact, it was not composed wholly of wheat, but was composed of, to wit, a mixture of wheat, rye, and other foreign material. Misbranding was alleged for the further reason that the article was a mixture of wheat, rye, and other foreign material, and was sold under the distinctive name of another article, to wit, wheat.

Examination of samples from the two shipments of March 24, 1913, by said Bureau of Chemistry showed that they contained, respectively, 49 per cent of rye, and 46 per cent of rye and 1 per cent of other foreign matter.

Adulteration of the article in these shipments was alleged in the information for the reason that a certain substance, to wit, rye, had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for wheat, which the article purported to be.

Misbranding was alleged for the reason that the following statement appearing on the label aforesaid, to wit, "Wheat," was false and misleading in that it indicated to purchasers thereof, and deceived and misled purchasers into the belief, that the article consisted wholly of wheat, when, in truth and in fact, it did not, but consisted of, to wit, a mixture of wheat and rye, in the case of one shipment, and a mixture of wheat, rye, and other foreign material, in the case of the other shipment. Misbranding of the article in this latter shipment was alleged for the further reason that it was a mixture of wheat, rye, and other foreign material and was offered for sale under the distinctive name of another article, to wit, wheat.

On December 20, 1915, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$5.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4539. Adulteration and misbranding of Burgundy. U. S. * * * v. 5 Cases of "Sparkling Burgundy." Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 6748. I. S. No. 19063-k. S. No. W-56.)

On July 26, 1915, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 cases of so-called sparkling Burgundy, remaining unsold in the original unbroken packages at San Francisco, Cal., alleging that the article had been shipped, on or about July 17, 1915, and was in course of transportation from the State of California into the State of Montana, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that artificially carbonated California Burgundy type wine had been substituted for bottled fermented or sparkling California Burgundy type wine.

Misbranding was alleged for the reason that the words "Sparkling Burgundy" were false and misleading in that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, sparkling Burgundy; for the further reason that it was labeled and branded so as to deceive and mislead the purchaser in that it purported to be "Sparkling Burgundy Type," whereas, in truth and in fact, it was not a sparkling Burgundy type wine, but was an artificially carbonated Burgundy type wine; and for the further reason that the package containing the article and its labels bore false and misleading statements, to wit, on the neck label "Sparkling Burgundy," and on the main body label "Sparkling Burgundy Type," whereas, in truth and in fact, it was not sparkling Burgundy or sparkling Burgundy type, but was an artificially carbonated Burgundy type wine, and that neither of the aforesaid false and misleading statements, nor any of them, was corrected by the word "Carbonated" appearing in small and inconspicuous type on the label of some of the bottles.

On August 11, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4540. Misbranding of "Dr. Whitehall's Megrimine." U. S. * * * v. The Dr. Whitehall Megrimine Co., a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 6751. I. S. Nos. 7137-e, 7138-e.)

On November 12, 1915, the grand jurors of the United States within and for the District of Indiana, acting upon a report of the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned an indictment against the Dr. Whitehall Megrimine Co., a corporation, South Bend, Ind., charging shipment by said company, in violation of the Food and Drugs Act, as amended, on November 18, 1912, from the State of Indiana into the State of New York, of 2 batches of "Dr. Whitehall's Megrimine," which in each instance was misbranded. One of the batches of the article was labeled: (On box) "Dr. Whitehall's Megrimine Trade Mark 228 Grs. Acetanilid in an oz. (in the white capsules only) For all Forms of Headache and Neuralgia. The Dr. Whitehall Megrimine Co. South Bend, Ind., U. S. A. Directions: Take one capsule; lie or sit down, close the eyes and keep quiet. If not relieved in 30 minutes repeat the dose. Four or five doses may be taken if necessary. For nervous tired feeling, disturbed rest, pain on wakening, or to ward off headaches, and where a nerve stimulant and tonic is needed, take one capsule night and morning for a week or two. Price 50 Cents This box contains the white capsules only. 'Megrimine Regular,' contain White and Pink capsules, which we recommend in severe cases. Specially Compounded by S. Whitehall, M. D. Guaranteed By The Dr. Whitehall Megrimine Co. under the Food & Drugs Act, June 30, 1906. Serial No. 5141." The circular or pamphlet accompanying this article contained, among other things, the following: "Megrimine contains some of the best known medicines from the vegetable kingdom, each having a specific action of its own upon certain elements of disease, and when combined with the others, makes a powerful blood cleanser and stimulant, relieving nervous exhaustion and irritability."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Acetanilid (grains per avoirdupois ounce)----- 211.88

Caffeine: Present.

Salol: Present.

Average weight of contents of 1 capsule (grains)----- 5.66

Misbranding of the article was charged in the indictment for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label of the boxes aforesaid, to wit: "Dr. Whitehall's Megrimine * * * for all forms of Headache and Neuralgia * * * where a nerve stimulant and tonic is needed take one capsule night and morning for a week or two * * *," and appearing in the circular or pamphlet aforesaid, to wit: "Megrimine contains some of the best known medicines from the vegetable kingdom, each having a specific action of its own upon certain elements of disease, and when combined with the others, makes a powerful blood cleanser and stimulant, relieving nervous exhaustion and irritability," were false and fraudulent, in that they were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, for the relief of all forms of headache and neuralgia, as a stimulant and tonic for the nerves, and for relieving nervous exhaustion, when, in truth and in fact, it was not so composed, and did not contain such ingredients or medicinal agents.

The other batch of the article was labeled: (On box) "Dr. Whitehall's Megrimine Trade Mark 228 Grs. Acetanilid in an oz. (in the white capsules only) For All Forms of Headache and Neuralgia. The Dr. Whitehall Megrimine Co. South Bend, Ind., U. S. A. Directions: Dose two capsules: Take one capsule of each kind; lie or sit down, close the eyes and keep quiet. If not relieved in 30 minutes repeat the dose. In extreme cases three doses may be taken. Contains no morphine. Dose for a child of 12 years, half of each capsule. The white capsules may be had separately in white boxes and will in most cases be sufficient alone. Price 50 Cents. The more promptly headaches are relieved the less frequent will be their return. Specially Compounded by S. Whitehall, M. D. Guaranteed by the Dr. Whitehall Megrimine Co. under the Food and Drugs Act, June 30, 1906. Serial No. 5141." The circular or pamphlet accompanying this article contained, among other things, the following: "Megrimine contains some of the best known medicines from the vegetable kingdom, each having a specific action of its own upon certain elements of disease, and when combined with the others, makes a powerful blood cleanser and stimulant, relieving nervous exhaustion and irritability."

Analysis of a sample of this article by said Bureau of Chemistry showed the following results:

White capsules.

Acetanilid (grains per avoirdupois ounce)-----	210.3
Average weight of contents of 1 capsule (grains)-----	6.24
Caffeine: Present.	
Salol: Present.	

Pink capsules.

Antipyrin (per cent)-----	98.03
Capsicum: Present.	
Acetanilid: Absent.	

Misbranding of the article was charged in the indictment for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label of the boxes aforesaid, to wit: "Dr. Whitehall's Megrimine * * * for all forms of headache, neuralgia * * *," and appearing in the circular or pamphlet aforesaid, to wit: "Megrimine contains some of the best known medicines of the vegetable kingdom, each for a specific action of its own, upon certain elements of disease, and when combined with the others, makes a powerful body cleanser and stimulant, relieving nervous exhaustion and irritability," were false and fraudulent, in that they were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, for the relief of all forms of headache and neuralgia, as a stimulant, and for relieving nervous exhaustion, when, in truth and in fact, it was not so composed, and did not contain such ingredients or medicinal agents.

On November 29, 1915, the defendant company entered a plea of guilty to the indictment, and the court imposed a fine of \$50 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4511. Adulteration and misbranding of brandy and misbranding of "Fernet Milano." U. S. v. Ferdinand Giachino (Piemont Wine Cellars). Plea of guilty. Fine, \$15. (F. & D. No. 6755. I. S. Nos. 7371-h, 7373-h.)

On November 3, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Ferdinand Giachino, trading as Piemont Wine Cellars, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on December 15, 1913, from the State of New York into the State of Michigan, of a quantity of cognac brandy, which was adulterated and misbranded, and of a quantity of "Fernet Milano," which was misbranded. The cognac was labeled: (On bottle) (Coat of arms—4 medals.) "Gordie Frères Brand Cognac Brandy. Special notice. To prevent imitations, we refer to our Trade-Mark. We shall also, after this date, wire and seal all our bottles for the U. S." (On neck label) Three stars.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results, expressed as parts per 100,000 of 100° proof alcohol, except as otherwise stated:

Specific gravity at 15° C_____	0.9485
Alcohol (per cent by volume)_____	42.97
Methyl alcohol_____	None
Solids_____	299.2
Acids, as acetic_____	14.8
Esters, as acetic_____	8.6
Fusel oil_____	8.7
Color insoluble in amyl alcohol (per cent)_____	60.0
Paraldehyde test for caramel: Positive.	

The product consists largely of neutral spirits.

Adulteration of the article was alleged in the information for the reason that an imitation brandy had been substituted, in whole or in part, for cognac brandy, which the article purported to be.

Misbranding was alleged for the reason that the following statements appearing on the principal label aforesaid, to wit, "Gordie Frères Brand Cognac Brandy," and "We shall also, after this date, wire and seal our bottles for the U. S.," and the representation of three stars on the neck label aforesaid, were false and misleading in that they indicated to purchasers thereof, and were such as to deceive and mislead purchasers thereof into the belief, that the article was genuine cognac brandy, and was produced in the Cognac district, Republic of France, when, in truth and in fact, it was not genuine brandy, and was not produced in the Cognac district, Republic of France, but was, to wit, imitation brandy, and was produced in the United States of America.

Misbranding was alleged for the further reason that the article was an imitation brandy and was offered for sale under the distinctive name of another article, to wit, cognac brandy.

The "Fernet Milano" was labeled: (On cap) Design of crown. (On sticker) "Fernet Milano" (Main label) "Fernet Milano Liquore Vermifugo e Febrifugo Il solo che ne possiede il vero e genuine processo, riconosciuto ed approvato da vari professori. E' l'unico fernet che per essere preparato in mode tutto speciale, oltre all' avere tutte le qualita indiscutibilmente riconosciute in tal genere di liquore, ha il pregio di prevenire e di far cessare i disturbi causati dal viaggia in mare. Nassuno manchi quindi di considerarlo come indispensabile per una buona traversata. Si prende a qualsiasi tempo

nella quantita di un bicchierino a liquore puro, oppure misto a qualsiasi liquore o bibita. In mare va preso non appena si manifestino i primi sintomi del vomito. A scanso di contraffazioni ogni etichetta portera la firma. Fernet Milano e la capsula sara' assicurata nel collo della bottiglia con altra etichetta portante la stessa firma 'Fernet type Milano'." (Design of crossed flags). (On shipping package) "Fernet Milano. Fragile."

Analysis of a sample of this article by said Bureau of Chemistry showed the following results:

Specific gravity at 20° C-----	0.9538
Solids at 100° C. (grams per 100 cc)-----	1.59
Ash (grams per 100 cc)-----	0.09
Alcohol (per cent by volume)-----	37.80
Emodin: Present.	
Alkaloids: None.	
Total acids (cc N/10 alkali per 100 cc)-----	8.4
Phosphoric acid, as P_2O_5 : Trace.	

A hydroalcoholic solution containing laxative plant drugs.

Misbranding of the article was alleged in the information for the reason that the following statement appearing on the label aforesaid, to wit, "Fernet Milano," and the design of a crown embossed on the cap with which the bottle was sealed, were false and misleading, in that they indicated to purchasers thereof that the article was manufactured in the City of Milan, Kingdom of Italy, when, in truth and in fact, the said article was not manufactured in the City of Milan, Kingdom of Italy, but was manufactured in the United States of America, to wit, the City of New York, State of New York.

On November 9, 1915, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$15.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4542. Adulteration and misbranding of "Sunbeam Middlings." U. S. v. John Schultz et al. (Schultz, Baujan & Co.). Plea of guilty. Fine, \$100 and costs. (F. & D. No. 6756. I. S. No. 12822-h.)

On February 25, 1916, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John Schultz, Edward E. Schultz, Alfred G. Schultz, and Clarence J. White, trading as Schultz, Baujan & Co., Beardstown, Ill., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about May 7, 1914, from the State of Illinois into the State of Indiana, of a quantity of "Sunbeam Middlings," which article was adulterated and misbranded. The article was labeled, in part: "\$50 Fine for using this tag a second time No. 4576. 100 pounds. Schultz, Baujan & Company, of Beardstown, Ill., Guarantees this Sunbeam Middlings to contain not less than 4.0 per cent of crude fat, 16.0 per cent of crude protein and to be compounded from the following ingredients: Wheat middlings * * *. Not good for more than 100 Pounds."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Pieces of weed seeds and grains, including a small amount of corn,	
(per cent)-----	6.0
Chaff (per cent)-----	0.26
<hr/>	
Total foreign matter (per cent)-----	6.26

The foreign material is mostly added ground screenings.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, ground screenings, had been mixed and packed therewith so as to reduce and lower, or injuriously affect its quality and strength and had been substituted, in whole or in part, for wheat middlings, which the article purported to be.

Misbranding was alleged for the reason that the following statement regarding the article and the ingredients and substances contained therein, appearing on the label aforesaid, to wit, "Sunbeam Middlings * * * compounded from the following ingredients: Wheat Middlings," was false and misleading in that it indicated to purchasers thereof, and was such as to deceive and mislead purchasers into the belief, that the article consisted wholly of wheat middlings, when, in truth and in fact, it did not, but did consist of, to wit, a mixture of wheat middlings and ground screenings.

On February 26, 1916, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$100 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4543. Adulteration of desiccated eggs. U. S. v. 2 Half-Barrels of Desiccated Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6761. I. S. Nos. 17552-k, 17553-k. S. No. W-58.)

On July 23, 1915, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 half-barrels of desiccated eggs, remaining unsold in the original unbroken packages at San Francisco, Cal., alleging that the article had been shipped and transported from the State of Texas into the State of California, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a filthy, decomposed animal substance.

On August 10, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4544. Adulteration of tomato pulp. U. S. * * * v. 90 Barrels of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6762. I. S. No. 1916-L. S. No. E-400.)

On October 4, 1915, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 90 barrels of tomato pulp, remaining unsold in the original unbroken packages at Jersey City, N. J., alleging that the article had been shipped, on or about September 14, 1915, and was being transported from the State of Maryland into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The barrels were labeled: (Chalked on end) "C. C. Co., Choptank, Md."

The allegation in the libel was to the effect that the article consisted, in whole or in part, of a filthy, decomposed, and putrid vegetable substance.

On November 4, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4545. Adulteration and misbranding of oats. U. S. * * * v. 37 Sacks of Oats. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6763. I. S. No. 2318-k. S. No. E-367.)

On July 30, 1915, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 37 sacks of oats, remaining unsold in the original unbroken packages at Miami, Fla., alleging that the article had been shipped, on or about June 2, 1915, and transported from the State of Kentucky into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act. The sacks were labeled: "Dixie Special White Oats, 100 Pounds."

Adulteration of the article was alleged in the libel for the reason that it was labeled as "Dixie Special White Oats," and another substance, to wit, barley, had been substituted in part for said Dixie Special White Oats, and had been mixed and packed with the oats so as to reduce, lower, and injuriously affect the quality or strength thereof.

Misbranding was alleged for the reason that the statement, "Dixie Special White Oats, 100 Pounds," was a false and misleading statement as to the ingredients and substances contained in said sacks, in that they contained, to wit, [oats and] barley.

On August 27, 1915. Callahan & Sons, (Inc.), Louisville, Ky., having filed its claim to the product, and the cause having been submitted to the court, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$100, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4546. Adulteration and misbranding of oats. U. S. * * * v. 74, 32, 17, and 13 Sacks of Oats. Consent decrees of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 6764, 6765, 6766, 6767. I. S. Nos. 2319-k, 2320-k, 2321-k, 2322-k. S. No. E-368.)

On July 30, 1915, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 74, 32, 17, and 13 sacks of oats, remaining unsold in the original unbroken packages at Key West, Fla., alleging that the article had been shipped about June 11, 1915, and transported from the State of Alabama into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act. The sacks were labeled: "115 Lbs. White Oats," "Net Weight 115 White Oats," or "115 lbs. White Oats."

Adulteration of the oats in the 74 and 32 sacks was alleged in two of the libels for the reason that another substance, to wit, barley, had been substituted in part for the said white oats, and had been mixed and packed with them so as to reduce, lower, and injuriously affect the quality and strength thereof.

Misbranding was alleged for the reason that the statement "115 Lbs. White Oats" or "Net Weight 115 White Oats" was a false and misleading statement as to the ingredients and substances contained in the sacks in that they contained, to wit, [oats and] barley; and as to the number of pounds of oats contained in said sacks, in that said sacks contained an average of 112 pounds, or a shortage of 3 pounds per sack.

Adulteration of the oats contained in the 17 and 13 sacks was alleged in the other two libels for the reason that barley had been mixed and packed with and substituted for the article labeled and branded as "115 Lbs. White Oats."

Misbranding of these oats was alleged for the reason that the sacks were 3 pounds short weight per sack.

On August 26, 1915, J. Zimmern's Co., Mobile, Ala., claimant, having filed answers admitting the allegations of the libels, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be delivered to said claimant company upon payment of all the costs of the proceedings and the execution of bond in the sum of \$400 in the aggregate, in conformity with section 10 of the act, conditioned, in part, that if the product be sold or disposed of, the branding placed on the same should accurately describe the said product.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4547. Adulteration and misbranding of vinegar. U. S. * * * v. Earl Chandler (B. T. Chandler & Son, and Dixie Sugar Vinegar Co.). Plea of guilty. Fine, \$500 and costs and six months in the House of Correction. (F. & D. No. 6769. I. S. Nos. 11719-k, 14512-k, 14514-k, 14515-k, 14516-k.)

On December 30, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information in 29 counts against Earl Chandler, trading as B. T. Chandler & Son and as Dixie Sugar Vinegar Co., Chicago, Ill., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about February 24, 1915, from the State of Illinois into the State of Indiana, of 4 shipments of so-called cider vinegar, and on or about October 22, 1914, from the State of Illinois into the State of Iowa, of 1 shipment of so-called sugar vinegar, all of which was adulterated and misbranded.

One of the Indiana shipments was labeled: "B. T. Chandler & Son. 40 Grain. E Cider Vinegar. 51 Gal. Chicago."

Analysis of a sample from this shipment by the Bureau of Chemistry of this department showed the following results:

Solids (gram per 100 cc)-----	0.14
Acid, as acetic (grams per 100 cc)-----	4.08
Color (degrees, Lovibond, $\frac{1}{2}$ inch cell, brewer's scale)-----	4.5
Color removed by fuller's earth: All removed.	

This article consists chiefly of dilute acetic acid or distilled vinegar colored with caramel.

Adulteration of the article was alleged in the information for the reason that distilled vinegar or a dilute solution of acetic acid had been substituted in whole or in part for cider vinegar, which the article purported to be, and, further, for the reason that the product was an inferior article, consisting of distilled vinegar, or a dilute solution of acetic acid, and was colored in a manner whereby its inferiority to cider vinegar was concealed.

Misbranding was alleged for the reason that the following statement appearing on the label aforesaid, to wit, "Cider Vinegar," was false and misleading in that it indicated to purchasers thereof, and deceived and misled purchasers into the belief, that the article was cider vinegar, when, in truth and in fact, it was not cider vinegar, but was, to wit, distilled vinegar, or a dilute solution of acetic acid, artificially colored. Misbranding was alleged for the further reason that the article was distilled vinegar, or a dilute solution of acetic acid, artificially colored, and was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, cider vinegar.

Another Indiana shipment was labeled: "B. T. Chandler & Son. 40 Grain. Cider Vinegar. 49 Gal. Chicago." The remaining two Indiana shipments were labeled: "B. T. Chandler & Son. 40 Grain. Cider Vinegar. 48 Gal. Chicago."

Analyses of samples of these shipments by said Bureau of Chemistry showed the following results, respectively:

Solids (gram per 100 cc)-----	0.13
Acid, as acetic (grams per 100 cc)-----	2.99
Color (degrees, Lovibond, $\frac{1}{2}$ inch cell, brewer's scale)-----	3.0
Color removed by fuller's earth: All removed.	

This article consists chiefly of dilute acetic acid or distilled vinegar colored with caramel.

CARL VROOMAN, *Acting Secretary of Agriculture.*

Solids (gram per 100 cc)-----	0. 13
Acid, as acetic (grams per 100 cc)-----	3. 17
Color (degrees, Lovibond, $\frac{1}{2}$ inch cell, brewer's scale)-----	4. 5
Color removed by fuller's earth: All removed.	

This article consists chiefly of dilute acetic acid or distilled vinegar colored with caramel.

Solids (gram per 100 cc)-----	0. 13
Acid, as acetic (grams per 100 cc)-----	3. 10
Color (degrees, Lovibond, $\frac{1}{2}$ inch cell, brewer's scale)-----	4. 5
Color removed by fuller's earth: All removed.	

This article consists chiefly of dilute acetic acid or distilled vinegar colored with caramel.

Adulteration of the article in these three shipments was alleged in the information for the reason that distilled vinegar and water, or a dilute solution of acetic acid, had been substituted in whole or in part for cider vinegar, which the article purported to be, and, further, in that the product was an inferior article, consisting of distilled vinegar and water, or a dilute solution of acetic acid, and had been colored in a manner whereby its inferiority to cider vinegar was concealed.

Misbranding was alleged for the reason that the following statement appearing on the labels aforesaid, to wit: "40 Grain," was false and misleading in that it indicated to purchasers thereof, and deceived and misled purchasers into the belief, that the article contained 4 per cent of acetic acid, when, in truth and in fact, it did not, but contained a less amount thereof, to wit, 2.99 per cent in one shipment, 3.17 per cent in another shipment, and 3.10 per cent in the other shipment, respectively. Misbranding was alleged for the further reason that the following statement appearing on the labels aforesaid, to wit, "Cider Vinegar," was false and misleading in that it indicated to purchasers thereof, and deceived and misled purchasers thereof into the belief, that the article was cider vinegar, when, in truth and in fact, it was not, but was, to wit, distilled vinegar and water, or a dilute solution of acetic acid, artificially colored. Misbranding was alleged for the further reason that the article was distilled vinegar and water, or a dilute solution of acetic acid, artificially colored, and was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, cider vinegar.

The shipment to Iowa was labeled: "2 Bbl. 100 Gals. Sugar Vinegar at 9¢ \$9.00."

Analysis of a sample of this article by said Bureau of Chemistry showed the following results:

Alcohol (per cent by volume)-----	0. 17
Solids (gram per 100 cc)-----	0. 155
Reducing sugar after evaporation (gram per 100 cc)-----	0. 036
Acids, as acetic (grams per 100 cc)-----	2. 27
Ash (gram per 100 cc)-----	0. 018
Alkalinity of ash (cc N/10 acid per 100 cc)-----	1. 0
Total phosphoric acid (milligram per 100 cc)-----	0. 7
Glycerol (gram per 100 cc)-----	0. 02
Color (degrees, Lovibond, $\frac{1}{2}$ inch cell, brewer's scale)-----	4. 5
Color removed by fuller's earth: All removed.	

This article consists chiefly of dilute acetic acid or distilled vinegar colored with caramel.

CARL VROOMAN, *Acting Secretary of Agriculture.*

Adulteration of the article was alleged in the information for the reason that distilled vinegar or a dilute solution of acetic acid had been substituted, in whole or in part, for sugar vinegar, which the article purported to be, and for the further reason that the product was an inferior article consisting of distilled vinegar or a dilute solution of acetic acid, and had been colored in a manner whereby its inferiority to sugar vinegar was concealed.

Misbranding was alleged for the reason that the article was distilled vinegar or a dilute solution of acetic acid artificially colored, and was an imitation of, and offered for sale under the distinctive name of, another article, to wit, sugar vinegar.

It was further alleged in the information that on May 22, 1911, a criminal information was filed in the District Court of the United States for the Northern District of Illinois, charging the defendant with the interstate shipment of vinegar which was adulterated and misbranded, and that, on November 13, 1911, upon a plea of guilty, the defendant was sentenced to pay a fine of \$100 and costs.

On January 31, 1916, the defendant entered a plea of guilty to the present information and, on March 4, 1916, the court imposed a fine of \$500 and costs, and sentenced the defendant to six months in the House of Correction.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4548. Adulteration and misbranding of tomato paste. U. S. * * * v. Luigi Vecchi (Inc.), a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 6773. I. S. Nos. 626-h, 3366-h, 221-k, 11115-k.)

On April 7, 1916, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Luigi Vecchi, (Inc.), a corporation, trading and doing business at Hazlet, N. J., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 22, 1913, from the State of New Jersey into the State of New York, of a quantity of tomato paste, which was adulterated and misbranded, and, on or about December 10, 1913, and September 8, 1914, from the State of New Jersey into the State of New York, of quantities of tomato paste which was adulterated, and on or about October 24, 1914, from the State of New Jersey into the State of Illinois, of a quantity of tomato paste, which was adulterated. The article in each of the shipments was labeled: (On can) "Parma Brand Conserva Di Pomodoro Tomato Paste" (Design of girl with basket of tomatoes) "This is the first concentrated Tomato Paste made in America. It is manufactured with the latest improved machinery under the strictest sanitary conditions by men of long experience from Parma, Italy. It is made from the best selected ripe Jersey tomatoes and is guaranteed to be free from any coloring or chemical substance. It is found very convenient for preparing spaghetti, rice, meats or any dish requiring tomatoes and is a delicious flavoring and coloring for soups and sauces. Used by all first class hotels and restaurants. Best in the World. Parma, Luigi Vecchi, Inc. New York Factory, Hazlet, N. J. Contents 15 oz. Net Guaranteed by Luigi Vecchi, Inc., under the Food and Drugs Act, June 30, 1906. Serial No. 44720." (Stamped in top of tin on top of can) "Sanitary."

Analyses of samples of the articles in the various shipments by the Bureau of Chemistry of this department showed the following results:

Destination and date of shipment.		Sample No.	Yeast and spores per $\frac{1}{8}$ cubic millimeter.	Bacteria per cc.	Mold filaments. ¹	Remarks.
To New York..	Nov. 22, 1913	A	297	850,000,000	18	Partially decomposed vegetable product.
Do.....	.....do.....	B	348	850,000,000	30	Do.
Do.....	Dec. 10, 1913	A	850	700,000,000	46	Do.
Do.....	.....do.....	B	950	850,000,000	40	Do.
Do.....	Sept. 8, 1914	A	1,800	750,000,000	32	Do. ²
Do.....	.....do.....	B	2,000	850,000,000	36	Do. ²
To Illinois.....	Oct. 24, 1914	A	1,100	482,000,000	16	Do.
Do.....	.....do.....	B	1,200	360,000,000	18	Do.

¹ Result expressed as per cent of microscopic fields in which mold filaments were present.

² Contained much salt.

Weight claimed for samples of first New York shipment: 15 ounces.

Can A—weight of contents, 15.2 ounces.

Can B—weight of contents, 13.8 ounces; short 1.2 ounces, or 8 per cent.

Can C—weight of contents, 14.0 ounces; short 1.0 ounce, or 6.7 per cent.

Can D—weight of contents, 14.3 ounces; short 0.7 ounce, or 4.6 per cent.

Can E—weight of contents, 13.8 ounces; short 1.2 ounces, or 8 per cent.

Can F—weight of contents, 13.8 ounces; short 1.2 ounces, or 8 per cent.

Average shortage on six cans, 0.9 ounce, or 5.7 per cent.

Adulteration of the article in each of the shipments was alleged in the information for the reason that it consisted in whole or in part of a decomposed vegetable substance.

Misbranding of the article in the shipment of November 22, 1913, was alleged for the reason that the statement, to wit, "Contents 15 oz. net," borne on the labels attached to the cans containing the article, was false and misleading in that it represented that said cans contained 15 ounces net of the article, and was such as to deceive the purchaser into the belief that said cans contained 15 ounces net of the article, whereas, in truth and in fact, they did not, but contained a less amount.

On April 24, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4549. Adulteration and misbranding of vinegar. U. S. * * * v. 10
Barrels of Vinegar. Default decree of condemnation, forfeiture,
and destruction. (F. & D. No. 6775. I. S. No. 14175-k. S. No. C-279.)**

On July 30, 1915, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 barrels, purporting to contain "80 Grain Cane Vinegar," remaining unsold in the original unbroken packages at Sioux City, Iowa, alleging that the article had been shipped and transported from the State of Nebraska into the State of Iowa, and charging adulteration and misbranding, in violation of the Food and Drugs Act. The article was labeled, in part: "80 Grain Cane Vinegar."

The allegations in the libel were to the effect that the article was not 80-grain sugar-cane vinegar, but consisted wholly or in part of distilled vinegar which had been mixed and prepared in imitation of 80-grain sugar-cane vinegar, so as to reduce and lower its quality and strength.

The allegations were, further, to the effect that the article was not 80-grain sugar-cane vinegar, as it purported to be, and that the branding and labeling on the barrels, representing that the article was 80-grain sugar-cane vinegar were misleading and false and such as would deceive and mislead the purchaser thereof. It was further alleged that each of the barrels bore a statement regarding the ingredients or substances contained therein, which statement was false and misleading.

On October 20, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal and that the empty barrels should be sold.

CARL VROOMAN, Acting Secretary of Agriculture.

4550. **Adulteration of tomato pulp. U. S. v. Austin Canning Co., a corporation. Plea of guilty. Fine, \$225.** (F. & D. No. 6782. I. S. Nos. 7542-h, 7684-h, 7685-h, 8821-h, 9290-h, 11245-k.)

On May 5, 1916, the grand jurors of the United States within and for the District of Indiana, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district returned an indictment against the Austin Canning Co., a corporation, Austin, Ind., charging shipment by said company in violation of the Food and Drugs Act:

(1) On November 15, 1913, from the State of Indiana into the State of Alabama, of a quantity of tomato pulp which was adulterated. This article was labeled: (On shipping package) "Our Best Brand Tomato Pulp Leota Canning Co., Leota, Ind. Contents 10 Oz." (On can) "Our Best Brand Tomato Pulp Leota Canning Co., Leota, Ind. Contents 10 Oz."

(2) On January 13, 1914, from the State of Indiana into the State of Kansas, of a quantity of tomato pulp which was adulterated. This article was labeled, (On can) "Wild Flower Brand (design tomato) Tomato Pulp. Wild Flower Brand Distributed by the Inter-City Grocer Co., Kansas City, U. S. A. Contents 11 oz."

(3) On January 31, 1914, from the State of Indiana into the State of Ohio, of a quantity of tomato pulp which was adulterated. This article was labeled: (On tin cans) "Scott Co. Brand Whole Tomato Pulp" (Design of whole red ripe tomato) "Packed by Austin Canning Co., Austin, Ind. Contents 10 oz. Guaranteed by Austin Canning Co. Under the Food and Drugs Act June 30, 1906. This Tomato Pulp is especially made for home use as a condiment with Macaroni or Tomato Soup and as a sauce for Roasts and Stews. Use as follows: For Macaroni Use a tablespoonful per dish of Macaroni, with celery, salt and pepper. For Meat Sauce add a few small pieces of onion and white pepper to several tablespoonfuls and heat. For soup Allow one or two tablespoonfuls per plate and add spices to suit."

(4) On March 16, 1914, from the State of Indiana into the State of Alabama, of a quantity of tomato pulp which was adulterated. This article was labeled, in part: (On shipping case) "Scott Co. Whole Tomato Pulp Packed by The Austin Canning Co., Austin, Ind. Contents 10 oz. Guaranteed by The Austin Canning Co. under the Food and Drugs Act, June 30, 1906 * * *." (On can) "Scott Co. Whole Tomato Pulp Packed by Austin Canning Co., Austin, Ind. Contents 10 oz. Guaranteed by Austin Canning Co. under the Food and Drugs Act, June 30, 1906 * * *."

(5) On March 30, 1914, from the State of Indiana into the State of Alabama, of a quantity of tomato pulp which was adulterated. This article was labeled, in part: (On can) "Scott Co. Brand Whole Tomato Pulp Packed by Austin Canning Co. Austin, Ind. Contents 10 Oz. Guaranteed by Austin Canning Co. under the Food and Drugs Act June 30, 1906. This Tomato pulp is especially made for home use as a condiment with Macaroni or Tomato Soup and as a sauce for Roasts and Stews. Use as follows: * * *." (On shipping case) "* * * From Austin Canning Co., Incorporated packers of Extra Quality Canned Goods Austin, Indiana." Also, one can label (R. R. mark) "65454 So. Ry. 1.5 Louisville."

(6) On June 16, 1914, from the State of Indiana into the State of Ohio, of a quantity of tomato pulp which was adulterated. This article was labeled: (On can) "Our Best Tomato Pulp. Packed by Austin Canning Co., Austin, Ind. (Picture of red tomato—farm scene) Roanoke Valley." (On shipping case) Can label, as above, pasted on end of shipping case of 24 cans each. Shipping paster: "* * * From Austin Canning Co., Incorporated. Foods. Austin, Indiana."

Examination of samples from all of the shipments aforementioned by the Bureau of Chemistry of this department showed that the article in each case was a partially decomposed vegetable product.

Adulteration of the article was charged in the first and fifth counts of the indictment for the reason that it consisted in whole or in part of a filthy and decomposed vegetable substance, and in the second, third, fourth, and sixth counts of the indictment for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On May 19, 1916, the defendant company entered a plea of guilty to the indictment, and the court imposed a fine of \$100 on the first count thereof, and \$25 on each of the other five counts, making an aggregate fine of \$225.

CARL VROOMAN, *Acting Secretary of Agriculture.*

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Schultz, Baujan & Co-----	4542	Hall & Ruckel-----	4505
oats :		Sexual tablets :	
Callahan & Sons-----	4513, 4545	Palestine Drug Co-----	4507
Ficarrotta, G., & Co-----	4515	Sirup,	
Gibbons, J. T-----	4514	of figs with sirup of pepsin :	
Milam-Morgan Co-----	4520	Palestine Drug Co-----	4507
Tate, W. R-----	4519	of tar :	
Trenholm-Kolp Co-----	4512, 4518	Greene, Lester H., Co-----	4522
Zimmern's, J., Co-----	4546	Succus cineraria maritima :	
Fernet Milano :		Walker Pharmacal Co-----	4508
Piemont Wine Cellars-----	4541	Sul-Ferro-Sol :	
Gelatin :		Sul-Ferro-Sol Co-----	4521
Clarkson Glue Co-----	4524	Tablets,	
Greene's sirup of tar :		sexual :	
Greene, Lester H., Co-----	4522	Palestine Drug Co-----	4507
Jamaica ginger :			
Fialla & Eppler-----	4517		
Ketchup, tomato. <i>See</i> Tomato ketchup.			

	N. J. No.		N. J. No.
Tar, sirup of :		Tonic,	
Greene, Lester H., Co-----	4522	nerve :	
Terraline :		Koenig Medicine Co-----	4531
Hillside Chemical Co-----	4503	nerve and brain :	
Thomas pennyroyal, tansy, and cot-		Palestine Drug Co-----	4507
ton root pills :		Vinegar :	
Palestine Drug Co-----	4507	_____	4527, 4549
Tomato,		Chandler, B. T., & Son---	4547
ketchup :		Dixie Sugar Vinegar Co---	4547
Lansdale Pure Food Co--	4509	Wheat :	
paste :		Frisch, J. M., & Co-----	4538
Alloway Packing Co-----	4528	Whitehall's, Dr., Megrimine :	
Vecchi, L-----	4548	Whitehall, Dr., Megrimine	
pulp :		Co-----	4540
_____	4544	Wilson's, C. K., original wa-hoo-	
Austin Canning Co-----	4550	bitters :	
Roberts Bros-----	4526	Old Indian Medicine Co--	4523
Tomatoes,		Wine,	
strained :		Burgundy :	
Harrison, D. L-----	4510	_____	4539
		Casazza, V., & Bro-----	4516

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U. S. DEPARTMENT OF AGRICULTURE.

BUREAU OF CHEMISTRY.

C. L. ALSBERG, CHIEF OF BUREAU.

SERVICE AND REGULATORY ANNOUNCEMENTS.

SUPPLEMENT.

N. J. 4551-4600.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., February 23, 1917.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

4551. Misbranding of "Hayssen's Sure Goitre Cure Balsam" and "Hayssen's Sure Goitre Cure Ointment." U. S. * * * v. Minnie D. Hayssen, trading as H. H. Hayssen Co. Plea of guilty. Fine, \$25. (F. & D. No. 6800. I. S. Nos. 7268-h, 7269-h.)

On November 16, 1915, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Minnie D. Hayssen, trading as H. H. Hayssen Co., Chunchula, Ala., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about March 23, 1914, from the State of Alabama into the State of Minnesota, of quantities of "Hayssen's Sure Goitre Cure Balsam" and "Hayssen's Sure Goitre Cure Ointment," which were misbranded.

The balsam was labeled: (On bottle) "Hayssen's Sure Goitre Cure Balsam Trade Mark For the permanent cure of obstinate cases of Goitre or Bronchocele, (Thick or Swelled Neck.) Ten Per Cent Alcohol. To be taken internally in connection with Hayssen's Sure Goitre Cure Ointment. Directions—Take a teaspoonful twice daily—morning and evening. Children in proportion to age. Mix with a little good whiskey if unpleasant to take. Hayssen's Kropf Balsam" (Directions in German.) "General Guarantee No. 7129. Guaranteed under Food and Drugs Act June 30, 1906 Eastern Sales Dept. Seneca Falls, N. Y. Prepared by The Henry H. Hayssen Co. Chunchula, Ala." (On carton) "Hayssen's Sure Goitre Cure. Trade Mark. Alcohol 10 Per Cent. Balsam for Extremely Obstinate Cases of Goitre (Thick or Swelled Neck.) To be taken internally in connection with the use of Sure-Goitre-Cure Ointment. The use of this Balsam will only be required in the most stubborn cases, and is only recommended if, after a two or three weeks' application of the S.-G.-C. Ointment, material relief is not obtained. (Gen'l Guarantee No. 7129 Guaranteed under Food and Drugs Act June 30, 1906 Price, \$1.00. The

Henry H. Hayssen Co. Chunchula, Ala. Eastern Salesroom, Seneca Falls, N. Y. Directions for use. Take a teaspoonful twice daily—morning and evening. If any disagreeableness is experienced take less to suit. If unpleasant to take mix with a little good whiskey." The circular or pamphlet accompanying this article contained, among other things, the following: "After years of patient toil, and undaunted by many failures, Dr. H. H. Hayssen discovered a sure and unfailing cure for Goitre." "Dr. Hayssen's Sure-Goitre-Cure is put up in the form of an ointment of fragrant odor." "In extremely difficult cases, in addition to the Ointment, the patient will need Dr. Hayssen's Sure-Goitre-Cure-Balsam, which is taken internally."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Non-volatile residue at 100° C. (per cent).....	56.5
Alcohol (per cent by volume).....	11.5
Ash (per cent).....	8.81
Sucrose (per cent).....	49.4
Potassium iodid, by distillation (per cent).....	5.41
Alkaloids: None found.	
Iron salts and sulphate: Present.	

Product is a hydroalcoholic solution comprised chiefly of sugar and potassium iodid.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On bottle) "Hayssen's Sure Goitre Cure Balsam. For the permanent cure of obstinate cases of Goitre or Bronchocele, (Thick or Swelled Neck.)" (On carton) "Hayssen's Sure Goitre Cure Balsam for Extremely Obstinate Cases of Goitre (Thick or Swelled Neck.) To be taken internally in connection with the use of Sure-Goitre-Cure Ointment." (Same statements in German), and included in the circular or pamphlet aforesaid, to wit, "After years of patient toil, and undaunted by many failures, Dr. H. H. Hayssen discovered a sure and unfailing cure for Goitre," "Dr. Hayssen's Sure-Goitre-Cure is put up in the form of an Ointment of fragrant odor," "In extremely difficult cases, in addition to the Ointment, the patient will need Dr. Hayssen's Sure-Goitre-Cure-Balsam, which is taken internally," were false and fraudulent in that they were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, for the permanent cure of all obstinate cases of goiter, or bronchocele (thick or swelled neck), and, when used in connection with Hayssen's Sure Goitre Cure Ointment, as a sure cure for all extremely obstinate cases of goiter (thick or swelled neck), as a cure for all cases of goiter or bronchocele (thick or swelled neck), and, when used in connection with Dr. Hayssen's Sure Goitre Cure Ointment, as a sure and unfailing cure for all extremely difficult cases of goiter, and effective, when used in connection with Dr. Hayssen's Sure Goitre Cure Ointment, as a cure for all cases of goiter, when, in truth and in fact, it was not so composed, and did not contain such ingredients or medicinal agents.

The ointment was labeled: (On jar) "Directions for Using Hayssen's Sure-Goitre-Cure-Ointment.—Apply twice daily, morning and evening, rubbing it in well with bare hand downwards. Wash twice weekly, or oftener, with Castile soap and warm water. In extreme stubborn cases take Hayssen's 'Sure-Goitre-Cure Balsam' in connection with the use of the Ointment, and wear a

silk cloth tied evenly over swelling as tight as convenient. Note.—If the anointing is done by another party the effect will, as a rule, be more powerful. The H. H. Hayssen Co., Patentees and Sole Proprietors, Chunchula, Ala. General Guaranty No. 7129. Guaranteed under Food and Drugs Act, June 30, 1906. Eastern Sales Depot Seneca Falls, N. Y. Sure-Goitre-Cure (Trade Mark)" (Picture of woman showing goiter.) (On carton) "Hayssen's Sure-Goitre-Cure Ointment Hayssen's Su-Goit-Cu R E Trade Mark In actual use since 1889. The Henry H. Hayssen Co. Patentees and Sole Proprietors Chunchula, Ala. Eastern Salesroom, Seneca Falls, N. Y. Hayssen's Sure Goitre Cure Trade Mark. Gen'l Guaranty No. 7129 Guaranteed under Food and Drugs Act, June 30, '06 Hayssen's Sure-Goitre-Cure Ointment An unfailing, non-staining and painless remedy for Goitre (thick or swelled neck) in all its various forms and kindred fatty tumors. Most astonishing cures, even in cases pronounced incurable by eminent physicians. Price \$1.50 The Henry H. Hayssen Co. Patentees and Sole Proprietors Chunchula, Ala., U. S. A. Directions Apply twice daily, morning and evening, rubbing it in well with bare hand, mainly downwards. Wash twice or thrice weekly with Castile Soap and warm water, applying Ointment again immediately after washing. In extreme stubborn cases, take Hayssen's Sure Goitre Cure Balsam in connection with the use of Sure-Goitre-Cure Ointment and wear a silk handkerchief tied tightly over tumor." (Directions also in German.) The circular or pamphlet accompanying the article contained among other things the following: "Dr. Hayssen's Sure-Goitre-Cure Never Fails." "After years of patient toil, and undaunted by many failures, Dr. H. H. Hayssen discovered a sure and unfailing cure for Goitre." "Dr. Hayssen's Sure-Goitre-Cure is put up in the form of an Ointment of fragrant odor." "In extremely difficult cases, in addition to the Ointment, the patient will need Dr. Hayssen's Sure-Goitre-Cure Balsam, which is taken internally."

Analysis of a sample of the article by the said Bureau of Chemistry showed the following results:

Non-volatile residue at 100° C. (per cent)-----	89.2
Potassium iodid calculated from iodine, by distillation (per cent) -----	10.7
Ash (per cent)-----	11.3
Petrolatum: Present.	
Perfume: Present.	
Test for alkaloids: Negative.	

Product is an ointment composed chiefly of petrolatum and potassium iodid.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On jar) "Sure-Goitre-Cure." (On carton) "Hayssen's Sure-Goitre-Cure-Ointment An unfailing * * * remedy for Goitre (thick or swelled neck) in all its various forms, and kindred fatty tumors. Most astonishing cures, even in cases pronounced incurable by eminent physicians. * * * In extreme stubborn cases, take Hayssen's Sure-Goitre-Cure Balsam in connection with the use of Sure-Goitre-Cure Ointment." (Same statements in German), and included in the circular or pamphlet aforesaid, to wit, "Dr. Hayssen's Sure Goitre Cure Never Fails." "After years of patient toil, and undaunted by many failures, Dr. H. H. Hayssen discovered a sure and unfailing cure for Goitre," "Dr. Hayssen's Sure-Goitre-Cure is put up in the form of an ointment of fragrant odor," "In extremely difficult cases, in addition to the Ointment, the patient will need Dr. Hayssen's

Sure-Goitre-Cure Balsam, which is taken internally," were false and fraudulent in that they were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, as a sure and unfailing cure for goiter, as an unfailing remedy for goiter (thick or swelled neck) in all its various forms and for kindred fatty tumors, and effective, when used in connection with Dr. Hayssen's Sure Goitre Cure Balsam, as a cure for extremely stubborn or difficult cases of goiter (thick or swelled neck), and when so used as a cure for all cases of goiter, when, in truth and in fact, it was not, in whole or in part, so composed, and did not contain such ingredients or medicinal agents.

On January 15, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4552. Misbranding of flour. U. S. * * * v. 440 Sacks of Flour. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6803. I. S. No. 2323-k. S. No. E-379.)

On August 9, 1915, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 440 sacks, each containing about 6 pounds, of flour, remaining unsold in the original unbroken packages at Tampa, Fla., alleging that the article had been shipped on June 7, 1915, and transported from the State of Tennessee into the State of Florida, and charging misbranding in violation of the Food and Drugs Act. The article was labeled: "Mountain-City Mills, Has No Superior, Prince of Patent Flour, Can't be made any better. Chattanooga, Tenn. 6 lbs. Prince of Patents."

Misbranding of the article was alleged in the libel for the reason that the sacks containing it were labeled "6 lbs.," whereas, in truth and in fact, the sacks contained a quantity less than six pounds of said food; and for the further reason that the packages were not plainly and conspicuously marked on the outside thereof in terms of weight giving the quantity thereof.

On September 7, 1915, the Mountain City Mill Co., Chattanooga, Tenn., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of all the costs of the proceedings and the execution of bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that if the article be sold or disposed of, the branding thereof should accurately and correctly describe the same.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4553. Adulteration of desiccated eggs. U. S. * * * v. 2 Half-Barrels of Desiccated Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6809. I. S. Nos. 17554-k, 17555-k. S. No. W-59.)

On August 9, 1915, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 half-barrels of desiccated eggs, remaining unsold in the original unbroken packages at San Francisco, Cal., alleging that the article had been shipped and transported from the State of Texas into the State of California, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a filthy, decomposed animal substance.

On October 13, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, Acting Secretary of Agriculture.

4554. Adulteration of tomatoes. U. S. * * * v. 58 Cases Strained Tomatoes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6810. I. S. No. 15863-k. S. No. C-289.)

On August 9, 1915, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 58 cases, each containing 48 cans, of strained tomatoes, remaining unsold in the original unbroken packages at Birmingham, Ala., alleging that the article had been shipped on April 27, 1915, and transported from the State of Maryland into the State of Alabama, and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "Alpine Heights Brand Strained Tomatoes, for Soup, Contents 11 oz., packed by D. L. Harrison, Woodwardville, Md."

Adulteration of the article was alleged in the libel for the reason that the article consisted of a partially decomposed vegetable product,

On September 22, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4555. Adulteration and misbranding of "Wishnick." U. S. v. Louis Weissman. Plea of guilty. Fine, \$20. (F. & D. No. 6813. I. S. No. 3999-h.)

On February 18, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Louis Weissman, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on March 13, 1914, from the State of New York into the State of Connecticut, of a quantity of "Wishnick," which was adulterated and misbranded. The article was labeled: (On end of barrel) "L. Weissman Wishnick Guaranteed under the National Pure Food and Drugs Act by Louis Weissman Also Vegetable Color." (On other end) "29 L. Weissman" (Hebraic characters) "Wishnick For Passover Sweetened with sugar. Artificial Color."

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

Solids (per cent)-----	57.76
Ash (per cent)-----	0.045
Alcohol (per cent by volume)-----	0.46
Methyl alcohol: None.	
Volatile acids, as acetic (per cent)-----	0.03
Polarization, direct at 24° C. (° V.)-----	+40.3
Polarization, invert at 24° C. (° V.)-----	-15.4
Polarization, invert at 87° C. (° V.)-----	0.0
Sucrose, by Clerget (per cent)-----	42.63
Glucose: None.	
Reducing sugars, as invert (per cent)-----	14.57
Non-sugar solids (per cent)-----	0.56
Benzaldehyde (per cent)-----	0.025
Benzoate of soda (per cent)-----	0.12
Tartaric acid (per cent)-----	0.38
Phosphoric acid: None.	
Acidity, as tartaric acid (per cent)-----	0.39
Hydrocyanic acid: None.	
Salicylic acid: None.	
Colored with archil.	

The analyses indicated that the product was a sugar sirup flavored with benzaldehyde and tartaric acid, containing little if any cherry.

Adulteration of the article was alleged in the information for the reason that a sugar sirup, artificially colored and flavored, and containing little, if any, cherry fruit, prepared in imitation of Wishnick, had been substituted in whole or in part for genuine Wishnick, a product prepared principally from cherries, which the said article purported to be. Adulteration was alleged for the further reason that the article was a sugar sirup containing little if any cherry fruit, prepared in imitation of Wishnick and had been colored and flavored in a manner whereby its inferiority to genuine Wishnick was concealed.

Misbranding was alleged for the reason that the following statement regarding the article and the ingredients and substances contained therein, appearing on the label aforesaid, to wit, "Wishnick," was false and misleading in that it indicated to purchasers thereof, and was such as to deceive and mislead purchasers thereof into the belief, that the article was genuine Wishnick, a product prepared principally from cherries, when, in truth and in fact, it was not genuine Wishnick, but was a sugar sirup, artificially colored and flavored,

and containing little, if any, cherry fruit. Misbranding was alleged for the further reason that the article was a sugar sirup, artificially colored and flavored, and containing little, if any, cherry fruit, and was an imitation of, and offered for sale under the distinctive name of, another article, to wit, Wishnick, a product prepared principally from cherries.

On February 23, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$20.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4356. Adulteration of tomato ketchup. U. S. * * * v. 250 Cases Tomato Ketchup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6814. I. S. No. 14920-k. S. No. C-295.)

On August 16, 1915, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 250 cases, each containing 24 bottles, of tomato ketchup, remaining unsold in the original unbroken packages at Dallas, Tex., alleging that the article had been shipped, on or about July 22, 1914, and transported from the State of Indiana into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The cases were labeled: "2 doz. Octagon Bottles 12-oz. Grant's Brand Tomato Catchup. Packed and Guaranteed by Indiana Tomato Seed Co., Nabb, Ind. under Serial No. 49515." (Design of red ripe tomato.) The bottles were labeled: "Grant's Brand Tomato Catchup. Contains granulated sugar, salt, vinegar, onions, garlic, spices and 1-10 of 1 % Benzoate of Soda. Prepared and Guaranteed by Indiana Tomato Seed Co., Nabb, Ind. under Food and Drugs Act June 30, 1906, Serial No. 49515. Contains over 12 fluid ounces."

The allegations in the libel were to the effect that the article was adulterated for the reason that it consisted of a partially decomposed vegetable product and was unfit for food.

On March 4, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4557. Adulteration and misbranding of ground chocolate. U. S. * * * v. Hudson Gram Co., (inc.), a corporation. Plea of guilty. Fine, \$10. (F. & D. No. 6815. I. S. No. 23212-h.)

On March 2, 1916, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Hudson Gram Co., (Inc.), a corporation, Portland, Oreg., alleging shipment by said company, in violation of the Food and Drugs Act, on or about June 10, 1914, from the State of Oregon into the State of Washington, of a quantity of ground chocolate which was adulterated and misbranded. The article was labeled: "H & G Brand Ground Chocolate Net Weight 8 oz. H & G Brand Packed for The Hudson & Gram Co. Inc. Portland."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

		Water, sugar, and fat-free basis.
Moisture (per cent)-----	2.80	
Ash, total (per cent)-----	2.70	
Ash, water-insoluble (per cent)-----	1.75	7.80
Water-insoluble ash in total ash (per cent)-----	64	
Alkalinity of soluble ash (cc N/10 HCl per ash of 1 gram)-----	0.9	
Fat (per cent)-----	16.03	
Fat, water- and sugar-free basis (per cent)-----	31.65	
Melting point of fat (° C.)-----	32-34	
Refractive index of fat at 40° C-----	1.4574	
Crude fiber (per cent)-----	2.08	6.01
Sucrose, by polarization (per cent)-----	46.56	
Lactose, by polarization-----	None.	

Microscopic examination does not show added starch.

A sweetened cocoa and not a chocolate.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, sugar, had been substituted in part for ground chocolate, which the article purported to be, and for the further reason that a valuable constituent of ground chocolate, to wit, cocoa fat, had been in part extracted.

Misbranding was alleged for the reason that the statement, to wit, "Ground Chocolate," borne on the label of the article, was false and misleading in that it represented that the article was ground chocolate, and deceived and misled the purchasers thereof into the belief that it was ground chocolate, whereas, in truth and in fact, it was not, but was a mixture consisting of ground cocoa and sugar.

On March 3, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$10.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4558. Misbranding of wine. U. S. * * * v. Henry H. Shufeldt & Co., a corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 6816. I. S. No. 6776-h.)

On December 18, 1915, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Henry H. Shufeldt & Co., a corporation, doing business at Peoria, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 1, 1913, from the State of Illinois into the State of Pennsylvania, of a quantity of wine which was misbranded. The article was labeled: (On bottle; cap) "Extra Dry." (Representation of coat of arms.) (Shoulder) "Silver" (picture of a shield—H. H. S. C.) "Shield" (Principal label) (picture of a shield) "H. H. S. & Co. Silver Shield Extra Select." (On both ends of wooden shipping box): "H. H. S. & Co.—Silver Shield—Extra Select." (On side) "2230."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Solids (grams per 100 cc)-----	4.75
Non-sugar solids (grams per 100 cc)-----	2.27
Reducing sugar, as invert (grams per 100 cc)-----	2.35
Ash (gram per 100 cc)-----	0.29
Volatile acid, as acetic (gram per 100 cc)-----	0.12
Total tartaric acid (gram per 100 cc)-----	0.188
Color (degrees Lovibond, $\frac{1}{4}$ -inch cell)-----	5.0

Opened with heavy pressure—poured with heavy foam—soon flat.

Dark caramel-like color. Not sound. Suggests brandy. Little wine quality.

Product is not of a champagne type, is not extra dry, and is an inferior product.

Misbranding of the article was alleged in the information for the reason that the following statement, "Extra Dry," appearing on a colored tin-foil cap placed over the mouth and neck of the bottle, and the statement, "Silver Shield, Extra Select," appearing on the principal label of the said bottle, and the manner in which the tin-foil cap and label were arranged, were false and misleading in that they indicated to purchasers thereof, and were such as to deceive and mislead purchasers into the belief, that the article was bottle-fermented wine or champagne, when, in truth and in fact, it was not, but was, to wit, an artificially carbonated wine prepared in imitation of bottle-fermented wine or champagne. Misbranding was alleged for the further reason that the article was an artificially carbonated wine, and was an imitation of another article, to wit, bottle-fermented wine or champagne.

On February 25, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4559. Misbranding of "Dr. MacDonald's Atlas Compound Famous Specific No. 18." U. S. v. Jeremiah MacDonald. Plea of guilty. Fine, \$30. (F. & D. No. 6818. I. S. No. 7143-e.)

On October 29, 1915, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Jeremiah MacDonald, Binghamton, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about January 27, 1913, from the State of New York into the State of Tennessee, of a quantity of "Dr. MacDonald's Atlas Compound Famous Specific No. 18," which was misbranded. The article was labeled: (On box) "Dr. MacDonald's Atlas Compound Famous Specific No. 18 The Greatest Remedy on Earth For Catarrh, Rheumatism, Blood, Stomach, Heart, Liver, Kidney, and all Nervous Ailments. Guaranteed by me under the Food and Drugs Act of June 30, 1906, No. 938. The King of all Tonics." (On back of box) "Directions: Adults should take one or more Tablets immediately after each meal. Children in proportion to their age. If the bowels move too freely take less. Do not eat bananas, oatmeal, potatoes or starchy food of any kind while taking Atlas Compound. J. MacDonald, M. D. None Genuine without my signature; to imitate which is Forgery." (On sides of box) "Prepared for J. MacDonald, M. D. Binghamton, N. Y. Price 50 Cents For Sale by all Druggists." The circular or pamphlet accompanying the article contained, among other things, the following: "Do not get discouraged if a disease of long standing is not cured in a short time. This remedy works strictly in line with Nature and removes the cause of the disease. Several months are required in some cases, for it is better to take small doses for a long period, than larger doses. It will thoroughly cleanse the blood of all disease and purify the system if given time." "Atlas Compound is the safest and best blood purifier in the world. It does not shock the system. It gently and thoroughly cleanses the blood of all impurities and stimulates the debilitated organs. It is the best medicine that can be given to the very young or very old person. Sick, puny children as well as elderly people become strong, fat, and healthy while taking Atlas Compound. It acts by increasing the appetite and the digestion becomes enormous. It acts like magic. No medicine cures so quickly and its cures are permanent. Children require very small doses, mixed with fruit, or sauce, or scraped apple."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Ash (per cent)-----	41.9
Calcium carbonate (per cent)-----	38.73
Sodium sulphate (per cent)-----	15.36
Magnesium salts, calculated as magnesium sulphate (per cent)-----	1.08
Sugar (per cent)-----	18.1
Ginger, fluorescein, phosphate, emodin, and starch: Present.	
Alkaloids: Trace.	
Quinine and strychnine: Not detected.	

Pills consisted essentially of sodium sulphate, sodium bicarbonate, a laxative plant drug (apparently aloes), ginger, small amount of phosphate, trace of alkaloid and talc, and were coated with starch, calcium, carbonate, and sugar. This coating was colored with fluorescein.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, "Dr. MacDonald's Atlas Compound

Famous Specific No. 18 The Greatest Remedy on Earth For Catarrh, Rheumatism, Blood, Stomach, Heart, Liver, Kidney, and all Nervous Ailments * * *," and included in the circular or pamphlet aforesaid, to wit, "* * * It will thoroughly cleanse the blood of all disease and purify the system if given time," and "Atlas Compound is the safest and best blood purifier in the world" were false and fraudulent in that the same were applied to said article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for catarrh, rheumatism, and blood, stomach, heart, liver, kidney, and all nervous ailments, for cleansing the blood of all diseases, and purifying the system, if administered in time, and effective as a blood purifier, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents.

On November 3, 1915, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$30.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4560. Adulteration of condensed milk. U. S. v. Hires Condensed Milk Co., a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 6820. I. S. No. 1712-k.)

On November 8, 1915, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Hires Condensed Milk Co., a corporation, Philadelphia, Pa., alleging shipment by said company, in the name of Bernard Karp, in violation of the Food and Drugs Act, on or about September 8, 1914, from the State of Pennsylvania into the State of New York, of a quantity of condensed milk which was adulterated. The article was labeled, in part: "48 Cans Skimmed Square Brand Milk Condensed Hires Condensed Milk Co. Phila. Pa. * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the contents of five tins to be brown in color and thick in consistency, with clots distributed through the mass. The odor and taste of the milk in these tins were suggestive of cheese. No gas present. The condition of the contents of the five said tins indicated that the milk was decomposed. The evidence of decomposition in the remaining five tins was found to be either very slight or absent.

Adulteration of the article was alleged in the information for the reason that it consisted, in whole or in part, of a decomposed animal substance.

On November 12, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4561. Adulteration of tomatoes. U. S. * * * v. 1,088 Cases of Canned Tomatoes. Consent decree of condemnation. Product ordered released on bond. (F. & D. No. 6825. I. S. No. 1905-1. S. No. E-381.)

On August 23, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,088 cases of canned tomatoes, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped, on or about August 7, 1915, by Thomas Roberts & Co., Jersey City, N. J., and transported from the State of New Jersey into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The cases were branded: " $\frac{1}{2}$ Doz. Net Weight on Label No. 10 City Hall Brand Tomatoes packed by L. B. Towers, Star, Md." The cans were labeled: "City Hall Brand" (Picture of building) (Picture of whole tomatoes and stalk) "Tomatoes contents weigh six lbs. 7 oz. contents weigh 103 oz. L. B. Towers at Star Queen Anne Co., Md."

Adulteration of the article was alleged in the libel for the reason that about 15 per cent of the cans containing the article were swelled, and many of them were in an advanced stage of rusting and would soon become leaky, and further, in that the article of food consisted in particular [part] of a partially decomposed vegetable product and was sour and unfit for food purposes, contrary to the provisions of section 7, subdivision 6 under food, of the Food and Drugs Act.

On January 6, 1916, Thomas Roberts & Co., claimants, having filed their petition admitting that a part of the product was decomposed and that the same should be destroyed, but that a considerable quantity of the article was in proper condition to be used for human consumption, and praying that the tomatoes should be assorted, separating the good from the bad and destroying the bad, it was ordered by the court that the article should be delivered to said claimants upon payment of the costs of the proceedings and the execution of bond in the sum of \$1,500, in conformity with section 10 of the act, conditioned that the goods should be sorted out under the supervision of the Department of Agriculture, the unfit portion thereof to be destroyed at the expense of the claimants, and the balance thereof, if released for food purposes, to be retained by the claimants according to law as herein provided, otherwise to be destroyed by claimants.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4562. Misbranding of "Fulton's Diabetic Compound." U. S. * * * v. 4 and 3 Cases of * * * "Fulton's Diabetic Compound." Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 6830, 6831. I. S. Nos. 11202-1, 11207-1. S. Nos. C-301, C-303.)

On August 25, 1915, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 4 cases and 3 cases, respectively, each containing 12 bottles, of "Fulton's Diabetic Compound," remaining unsold in the original unbroken packages at Cleveland, Ohio, alleging that the 4 cases had been shipped on or about July 2, 1915, and the 3 cases on or about June 13, 1915, and transported from the State of Michigan into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The bottles containing the article were labeled: "Fulton's Diabetic Compound for Diabetes. Directions—Shake the bottle. Take from one to one and one-half tablespoonfuls four times a day one-half hour before or after eating. If stomach is weak take half doses till tone of stomach is improved. This compound is free from narcotics and sedatives. Fulton's Diabetic Compound. This compound contains five per cent of alcohol. Compounded solely by John J. Fulton Co., San Francisco, Cal., and Detroit, Mich." On the bottle labels, wrappers, and circulars accompanying the bottles the following appeared: "Fulton's Diabetic Compound for Diabetes. Directions:—Mild Cases—Take one tablespoonful four times a day. More advanced cases—Take one to one and a quarter tablespoonfuls four times a day. Advanced or extreme cases—take one to one and a half tablespoonfuls four times a day * * * What we claim is that three months of the treatment usually shows such improvement. * * * The first results, (except in stubborn cases) may be looked for in from two to three weeks, in a slowly decreasing specific gravity and gradual reduction of the sugar. Again a better physical condition may be the first notice of improvement, or the first evidence may be decrease in thirst and urine, less disturbance at night, etc.; the reduction of sugar in such cases coming later. The Diabetes Compound appears to get about the same results in Diabetes Insipidus as in Diabetes Mellitus. At times both albumen and sugar are found in the same case. In such cases Fulton's Diabetic Compound is advised where the sugar is largely in the ascendancy * * * The principal motive being to counteract hepatic degeneration. * * * Fulton's Diabetic Compound is for Diabetes * * *."

Misbranding of the article was alleged in the libels for the reason that the statements and labels on the cases, cartons, circulars, and packages were false, misleading, and fraudulent in that no ingredient or ingredients in said product or compound were capable of producing the therapeutic effects claimed for it on said labels, or branding, or in said circulars accompanying the packages.

On November 19, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal, and that the costs of the proceedings be assessed against the John J. Fulton Co., of Detroit, Mich.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4563. Misbranding of "Faucine." U. S. * * * v. 21 Dozen Retail Packages * * * of * * * "Faucine." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6833. I. S. No. 16518-k. S. No. C-296.)

On or about August 30, 1915, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 21 dozen retail packages, more or less, of "Faucine," remaining unsold in the original unbroken packages at Grinnell, Iowa, alleging that the article had been shipped, on or about April 1, 1915, and transported from the State of Mississippi into the State of Iowa, and charging misbranding in violation of the Food and Drugs Act, as amended. The product was labeled, in part: (On cartons) "Faucine Nature's Remedy Compounded in Her own Laboratory, Mother Earth. The most wonderful Antiseptic and Blood Tonic in the world A warranted remedy for piles, old sores and ulcers, eczema, ringworm, tetter, cuts, burns, insect stings, diarrhoea and flux, cholera morbus, dyspepsia, indigestion, scratches on horses, saddle and harness galls. See directions on the label. Price 50c. a bottle. The Faucine Co., Meridian, Miss. Guaranteed by the Faucine Co. under the Food and Drugs Act, June 30, 1906." (On bottles) "Faucine the most wonderful antiseptic and blood tonic in the world. Nature's own remedy just as it comes from the earth. Guaranteed when used according to directions for Indigestion, Dyspepsia, Piles, Old Sores and Ulcers, Eczema, Ringworms, Tetter, Cuts, Burns, Insect Stings, Diarrhoea and Flux, Cholera Morbus, Etc. Directions * * * Price 50c. The Faucine Co., Newton, Miss." The circulars accompanying the bottles contained the following: "For treatment of Old Sores, Sore Throat, * * * Burns, Eczema, Tetter, * * * Colic, Pellagra, and all Stomach and Venereal Troubles, it has no equal. Faucine is a * * * blood purifier; * * * enabling the system to repel attacks of disease germs. In chronic cases, * * * take, * * * until cured; * * * For Indigestion and Dyspepsia * * * For Diarrhoea and Flux * * * For Blood Diseases, rheumatism and urinary troubles * * * for all Skin diseases, Tetter, Eczema * * * For Old Sores * * * For Female Complaints (best remedy in the world) * * * For Catarrh * * * For Venereal Diseases * * * For Pellagra * * * For Piles * * * For Chicken Cholera * * * for Hog Cholera * * * Cured Piles of Twenty Years Standing. This is to certify that your Faucine is a sure cure for piles * * * this great remedy. I suffered with venereal disease for 20 years * * * My legs from my knees to my ankles were solid sores, nine running ulcers on my right leg and the flesh had sloughed off my leg leaving over four inches of bare bone * * * I have used seven bottles of Faucine and am well. My flesh came back as fresh as that of a baby and my general health is good. Cured of Serious Bowel Trouble. For a number of years I suffered with indigestion, which brought on a serious bowel trouble, * * * I used your acid iron mineral. One bottle cured me sound and well. I was a sufferer for fifteen years with chronic indigestion * * * I purchased a bottle of your wonderful remedy * * * I find it to be the most wonderful remedy in the world known to me for indigestion, catarrh of the stomach and bowels, piles, cuts and all kinds of skin and blood troubles * * * Entirely and absolutely cured of pellagra after using less than one half of the bottle of Faucine * * * This is to certify that your Faucine is a sure cure for chickens that are diseased with cholera * * * Effecting most wonderful and marvelous cures of all kinds of acute and chronic diseases."

Misbranding of the article was alleged in the libel for the reason that the cartons and bottles labeled as above set forth, and said circulars therewith as above set forth, were false and fraudulent in that the said representations and statements were untrue, and the said Faucine was not a specific or cure for the various diseases and ailments as above set forth on said labels and circulars.

On November 23, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4564. Misbranding of "Fulton's Renal Compound." U. S. * * * v. 6 and 7 Cases of "Fulton's Renal Compound." Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 6834, 6835. I. S. Nos. 20203-1, 20205-1. S. No. W-62.)

On August 27, 1915, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 6 and 7 cases, respectively, of "Fulton's Renal Compound," remaining unsold in the original unbroken packages at Spokane, Wash., alleging that the article had been shipped, on or about August 14 and 19, 1915, and transported from the State of California into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled: (On case) "For Inflammation of the Kidneys Fulton's Renal Compound. For Bright's and Kidney Diseases. John J. Fulton Company, San Francisco, and Detroit." (On bottle) "Fulton's Renal Compound for Bright's and Kidney Disease, This Compound Contains Five Per cent of Alcohol Compounded Solely by John J. Fulton Co., San Francisco, Cal., and Detroit, Mich., price \$1.00, guaranteed by John J. Fulton Co., under the Food and Drugs Act June 30, 1906, No. 2339 U. S. A. Note new labels to conform to Food and Drugs Act signature must cover cork, Fulton's Renal Compound For Bright's Disease. Directions. Shake the bottle. Take 1 to 1-1/2 tablespoonfuls four times a day before or after meals; half doses if stomach is weak. This compound is free from narcotics and sedatives." The circulars accompanying the bottles contained the following: "Renal Compound For Bright's and Kidney Disease. After the symptoms are yielding to the Renal Compound * * * Directions. Mild cases—take one tablespoonful four times a day. More advanced cases—take one to one and a quarter tablespoonfuls four times a day. In advanced or extreme cases—take one to one and a half tablespoonfuls four times a day. For children five years and over a teaspoonful to a dessertspoonful according to age, three to four times a day. Bright's disease. What we claim is that three months of the treatment usually shows such improvement * * * Kidney Disease. Fulton's Renal Compound approaches kidney disease from a new direction. Instead of exciting the kidneys the motive of the Renal Compound is to oppose granulation and degeneration in Renal Tissues * * * physician gives Fulton's Renal Compound to counteract Renal degeneration * * * where the dropsy * * * Does not respond quickly enough to the compound it can be aided * * * until the compound acts and the kidneys begin to function. Fulton's Renal Compound is particularly for Bright's and Kidney Disease."

Misbranding of the article was alleged in the libels for the reason that the statements aforesaid, which appeared upon the labels and upon the circulars about the bottles, regarding the curative and therapeutic effect of said drug product, were false, fraudulent, and misleading.

On January 31, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4565. Misbranding of "Fulton's Renal Compound." U. S. * * * v. * * *
9 and 8 cases * * * of * * * "Fulton's Renal Compound." De-
fault decree of condemnation, forfeiture, and destruction. (F. & D.
Nos. 6836, 6837, 6838. I. S. Nos. 11201-1, 11203-1. S. Nos. C-300, C-302.)

On August 26, 1915, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 9 and 8 cases, respectively, each containing 12 bottles of "Fulton's Renal Compound," remaining unsold in the original unbroken packages at Cleveland, Ohio, alleging that the article had been shipped, on or about June 15 and July 2, 1915, respectively, and transported from the State of Michigan into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The bottles containing the article were labeled: "Fulton's Renal Compound for Bright's and Kidney Disease. This compound contains five per cent of alcohol. Compounded Solely by John J. Fulton Company, San Francisco, Calif., and Detroit, Michigan. Price \$1.00. Guaranteed by John J. Fulton Company under the Food and Drugs Act, June 30, 1906. No. 2339. U. S. A. Note new labels to conform to Food and Drugs Act. Signature must cover cork. Fulton's Renal Compound for Bright's and Kidney Disease. Directions—Shake the bottle. Take 1 to 1½ tablespoonfuls four times a day after meals. Half doses if stomach is weak. This compound is free from narcotics and sedatives." On the bottle labels, circulars, and wrappers accompanying the bottles the following printing and labeling appeared: "Fulton's Renal Compound for Bright's and Kidney Disease." In the circulars accompanying the bottles the following additional printing and labeling appeared, to wit, "After the symptoms are yielding to the Renal Compound * * * Directions: Mild cases—Take one tablespoonful four times a day. More advanced cases—Take one to one and a quarter tablespoonfuls four times a day. In advanced or extreme cases—Take one to one and a half tablespoonfuls four times a day. For children five years and over, a teaspoonful to a dessert-spoonful according to age, three to four times a day. Bright's Disease. What we claim is that three months of the treatment usually shows such improvement * * * Kidney Disease. Fulton's Renal Compound approaches kidney disease from a new direction. Instead of exciting the kidneys the motive of the Renal Compound is to oppose granulation and degeneration in renal tissues * * * physician gives Fulton's Renal Compound to counteract renal degeneration * * * where dropsy * * * does not respond quickly enough to the compound it can be aided * * * until the compound acts and the kidneys begin to function. Fulton's Renal Compound is particularly for Bright's and Kidney Disease."

Misbranding of the article was alleged in the libels for the reason that the statements and labels on the cases, wrappers, circulars, and packages were false, misleading, and fraudulent in that no ingredient or ingredients in the product or compound were capable of producing the therapeutic effects claimed for it on said labels or branding or in said circulars accompanying the packages.

On November 19, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal, and that the costs of the proceedings should be assessed against the John J. Fulton Co., of Detroit, Mich.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4566. Adulteration of horse beans. U. S. * * * v. 806 Sacks of Horse Beans. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 6852. I. S. No. 20304-L. S. No. W-64.)

On August 31, 1915, the United States attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 806 sacks of horse beans, remaining unsold in the original unbroken packages at Tucson, Ariz., alleging that the article had been shipped, on or about August 29, 1915, and was being transported from the State of California into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal [vegetable] substance, that said horse beans were infested with worms and worm excrement, and unfit for consumption as food, and said horse beans were, in part, so infested with worms and vermin, and so consisted in such part of filthy, decomposed, and putrid animal [vegetable] substance.

On September 30, 1915, J. K. Armsby Co. and Glancer Bros., claimants, having filed their claim to the property, but offering no evidence, and the case having been submitted to the court for decision, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4567. Adulteration of tomato pulp. U. S. * * * v. 3,000 * * * Cans of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6843. I. S. No. 11505-1. S. No. C-312.)

On September 1, 1915, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3,000 five-gallon cans of [tomato] pulp, remaining unsold in the original unbroken packages at Gibson City, Ill., alleging that the article had been shipped, on or about March 16, 1915, and transported from the State of Indiana into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance and was wholly unfit for use as a food.

On October 6, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4568. Misbranding of dairy feed. U. S. v. 60 Sacks * * * of * * *
"Creamo Dairy Feed." Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6844. I. S. No. 13533-k. S. No. C-311.)

On September 1, 1915, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 60 sacks, more or less, of a product purporting to be "Creamo Dairy Feed," remaining unsold in the original unbroken packages at New Albany, Ind., alleging that the article had been shipped and transported from the State of Kentucky into the State of Indiana, the shipment having been received on or about March 12, 1915, and charging misbranding in violation of the Food and Drugs Act. The sacks were marked and branded: "Rapier's 100 lbs. Net Creamo Dairy Feed. Rapier Sugar Feed Co., Owensboro, Ky." The shipping tags on the sacks were marked and branded, in part: "\$50 fine for using this tag second time. No. 5185. Net weight 100 Pounds. Rapier Sugar Feed Company, of Owensboro, Ky., guarantees this Rapier's Creamo Dairy Feed to contain not less than 3.5 per cent of crude fat, 16.5 per cent of crude protein, not more than 12.0 per cent of crude fibre, and to be compounded from the following ingredients. Cottonseed Meal, Corn Gluten Feed, Linseed Meal, Ground and Bolted Wheat Screenings, Clipped Oat By-Product, Salt and Molasses. * * * Not good for more than 100 Pounds."

Misbranding of the article was alleged in the libel for the reason that the statement, design, and device (borne upon the brands aforesaid) regarding the article and the ingredients and substances contained therein were false and misleading in that the product did not contain the percentages of ingredients marked as aforesaid on said sacks, and further in that the contents of said sacks, as originally put up, had been removed in part, and other contents had been placed in said packages.

On November 16, 1915, the Rapier Sugar Feed Co., a partnership, Owensboro, Ky., having filed its answer admitting the allegations of the libel, judgment of condemnation and forfeiture was entered, and the said claimant firm having paid the costs of the proceedings, and having tendered its bond in the sum of \$500 in conformity with section 10 of the act, which bond was approved by the court, it was ordered by the court that the product should be delivered to said claimant firm.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4569. Misbranding of "Contrell's Magic Troche." U. S. * * * v. The Contrell Co., a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 6846. I. S. No. 8066-e.)

On December 29, 1915, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Contrell Co., a corporation, Tenafly, N. J., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about February 18, 1913, from the State of New Jersey into the State of Massachusetts, of a quantity of "Contrell's Magic Troche," which was misbranded. The article was labeled: (On box; front) "The Magic Troche Is the most wonderful remedy ever made to cure Coughs, Colds, Sore Throat, Hoarseness, Catarrh, Tickling in the Throat, Asthma and Diphtheria. Pleasant to the Taste. For Public Speakers and Smokers they are invaluable. Sent By Mail Price 25c." (On back) "Contrell's Magic Troche Trade Mark. For all Throat Diseases Prepared And Sold By John Contrell, 24 Vestry St., New York." (On sides) "Directions. Place one of the Troches in the side of the mouth and let it dissolve gradually, swallowing as it dissolves. The effect is magical in cases of Throat Diseases." "The Magic Troche. Being harmless, can be used freely without any bad effect to the head or stomach. None Genuine without my Trade Mark. Sold by Druggists Price 25c." (On flap) "Guaranteed under the Pure Food and Drugs Act, June 30th, 1906. U. S. Serial No. 4134."

Analysis of a sample of this product by the Bureau of Chemistry of this department showed the following results:

Total alkaloids (per cent)----- 0.031

The alkaloids present (cephaeline and emetine) indicated the presence of ipecac.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, "Contrell's Magic Troche. * * * For all Throat Diseases * * * The effect is magical in cases of Throat Diseases. The Magic Troche Is the most wonderful remedy ever made to cure * * * Catarrh, * * * Asthma and Diphtheria * * *," were false and fraudulent in that the same were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for the cure of all throat diseases, catarrh, asthma, and diphtheria, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents.

On February 14, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4570. Misbranding of "Benn Capsules." U. S. * * * v. Joseph Arthur Bennett. Plea of guilty. Fine, \$25. (F. & D. No. 6855. I. S. No. 909-k.)

On February 26, 1916, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Joseph Arthur Bennett, Lowell, Mass., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about August 17, 1914, from the State of Massachusetts into the State of New Hampshire, of a quantity of "Benn Capsules," which were misbranded. The article was labeled: (On box label) "Benn Capsules For Pale and Weak Women Each Capsule contains: Ext. Nux Vomica 1-8 gr., Arsenous Acid 1-50 gr. This great preparation is unsurpassed as a specific for general and nervous debility, and all diseases caused by the above ailments. Price 50c, 6 Boxes for \$2.50 Manufactured for The Benn Chemical Co., Lowell, Mass. Serial No. 40,216 Guaranteed by the B. C. Co. under the Food and Drug Act, June 30th, 1906." (Similar statements in French.) The circular or pamphlet accompanying the article contained, among other things, the following: "Benn Capsules are highly recommended for all ailments peculiar to women, especially in cases of anaemia, general debility, loss of appetite, dyspepsia, headache, backache, pain in the loins and kidneys, insomnia, pains in the side, palpitation of the heart, dizziness, difficulty in breathing, leucorrhœa, falling of the womb, change of life. All these ills, Ladies, of whatever gravity or standing are promptly cured by the use of Benn Capsules." "Consumption Benn Capsules are without a peer as a preventative for consumption, as they keep the digestive organs in perfect working condition. And you very well know that consumption is not found in a perfect stomach coupled with a hearty appetite. Benn Capsules produce rich blood and increase your chances a hundred to one in warding off the curse of the White Plague." "Loins and Kidneys Benn Capsules are unequalled in all cases of disorders affecting the loins and kidneys."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Strychnine (per cent)-----	0.008
Ash (per cent)-----	47.40
Iron, as Fe ₂ O ₃ (per cent)-----	15.62
Sulphates, as SO ₃ (per cent)-----	14.76
Average content of capsule (grains)-----	5.43
Arsenic, as As ₂ O ₃ (grain per capsule)-----	0.01

The capsules contained a mixture of powdered nux vomica, arsenous acid, an iron compound, and water-soluble sulphates.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, included in the circular or pamphlet aforesaid, to wit, "Benn Capsules are highly recommended for all ailments peculiar to women, especially in cases of * * * dyspepsia, headache, backache, * * * insomnia, pains in the side, * * * leucorrhœa, falling of the womb * * *. All these ills, Ladies, of whatever gravity or standing are promptly cured by the use of Benn Capsules," "Benn Capsules are without a peer as a preventative for consumption. * * * Benn Capsules * * * increase your chances a hundred to one in warding off the curse of the White Plague," "Benn Capsules are unequalled in all cases of disorders affecting the loins and kidneys," were false and fraudulent in that they were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraud-

ulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that the article was composed of, or contained, ingredients or medicinal agents effective, among other things, for the cure of all ailments peculiar to women, dyspepsia, headache, backache, insomnia, pains in the side, leucorrhea, and falling of the womb; as a preventive of consumption, and as a remedy in all cases of disorders affecting the loins and kidneys, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents.

On March 6, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4571. Adulteration of tomatoes. U. S. v. 92 Cases of Canned Tomatoes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6859. I. S. No. 3202-L. S. No. E-389.)

On September 21, 1915, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 92 cases, each case containing two dozen cans, of tomatoes, remaining unsold in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped, on or about August 14, 1915, and transported from the State of Maryland into the State of Georgia, and charging adulteration in violation of the Food and Drugs Act. The shipping cases were labeled: "2 doz. No. 2 Claremont Brand Tomatoes. Net weight on labels. Packed by Mantik Pkg. Co. Baltimore, Md." The cans were labeled: "Claremont Brand Tomatoes—Contents 1 lb. 2 oz.—Claremont Brand—Packed by Mantik Pkg. Co. Highlandtown, Md."

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed with and substituted in part for tomatoes.

On December 10, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4572. Misbranding of "Collins' Voltaic Electric Plasters." U. S. * * * v. 32 Gross of * * * "Collins' Voltaic Electric Plasters." Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6860. I. S. No. 2107-I. S. No. E-388.)

On September 20, 1915, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information and thereafter 2 motions to amend the same, praying for the seizure and condemnation of 32 gross of a product called "Collins' Voltaic Electric Plasters," remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped and transported from the State of New Jersey into the State of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article was alleged in the libel of information and the amendments thereto, for the reason that the packages and labels thereof bore and contained statements, designs, and devices regarding the curative and therapeutic effects of said article, that is to say: (On the plaster) "Collins' Voltaic Electric Plasters. Collins' Voltaic Electric Plaster. Lightning Lines our Trade Mark. None Genuine without lightning lines. Distributed by Potter Drug & Chemical Corporation, Sole Proprietors. Boston, Massachusetts, U. S. A. Registered in U. S. Patent Office and in Canada and Great Britain. Guaranteed by Potter Drug & Chemical Corp. Patented Dec. 11, 1877." (On label on shipping package) "One gross Collins' Voltaic Electric Plasters. Potter Drug & Chemical Corporation, Boston, U. S. A." (Picture of plaster on side of box). (On circular) "The Medicated Plaster * * * almost unrivalled in the relief of pain, weakness, and inflammation * * * Many people believe that the combination of such a plaster with Voltaic electric plates, as in Collins Voltaic Electric Plaster, greatly enhances the benefit to be derived in the treatment of the following: Rheumatism, weak spine, * * * local rheumatism, tic douloureux, * * * painful kidneys, affections of the chest, colds and coughs, injuries of the back, * * * weak back, pain in the bowels, cramp in the stomach and limbs, enlarged spleen, * * * punctures, rheumatism of the wrist and arms, asthma, gout, * * * deep-seated pains, pain in the chest, stitch in the back, pain in the hip, * * * pain and weakness in side and back, hoarseness, sore throat, lumbago, whooping cough, sharp pains in the breast, indigestion and * * * soreness in any part of the body. Fever and Ague, Affections of the liver, malarial diseases * * * they frequently prove of great value in fever and ague and all pains, soreness and weakness incidental thereto, cramps and pains in the stomach and bowels, indigestion and dyspepsia, bilious colic, affections of the liver, and malarial and miasmatic pains and weaknesses * * * may be worn by those subjected to change of water, food and climate. For rheumatism and neuralgia. Apply the Collins Voltaic Electric Plasters to any part of the body where pain or soreness is felt. Relief is usually immediate * * * For sciatica * * * apply to the lower back of the thigh * * * For weak, painful kidneys. The Collins' Voltaic Electric Plasters relieve pain and inflammation of the kidneys * * * For weak muscles and joints these plasters afford a most perfect support, * * * imparting strength to weakened muscles and tendons. For simple bone fractures, sprains, * * * these plasters * * * subdue inflammation * * * For spinal pains, or inflammation or pain in any part of the spinal column. They may prove of value * * * when a decided and continuous effect is desired. For coughs, colds, bronchitis, asthma, difficult breathing, soreness or lameness of the chest and pectoral muscles. These affections are relieved in

many cases by the application of the Collins' Voltaic Electric Plasters. For sensitive or weak lungs this plaster is of great benefit. It * * * stimulates the circulation, assisting in removing soreness, tenderness, pain and inflammation. * * * For female weakness. Females during certain periods will experience the most gratifying relief from the use of these plasters * * * For sudden and severe pains in the side and back, and in fact in any part of the body the application of the Collins' Voltaic Electric Plasters afford relief in the majority of cases. For diarrhoea, pains and cramps in the bowels weakness and indigestion, this plaster is a most valuable application, frequently relieving many cases without the assistance of other medicine," " * * * Voltaic Electric Plasters," which said statements, designs, and devices were false and misleading in that the article was incapable of producing the therapeutic effects claimed therein.

On October 29, 1915, the Potter Drug & Chemical Corporation, Boston, Mass., having filed its claim for the property, and having given satisfactory bond in conformity with section 10 of the act, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to the claimant upon payment of the costs of the proceeding.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4573. Adulteration and misbranding of "Ammonium Bromid." U. S. v. William P. Kenealy. Plea of guilty. Fine, \$10. (F. & D. No. 6891. I. S. No. 22321-h.)

On February 21, 1916, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District aforesaid an information against William P. Kenealy, Washington, alléging the sale by said defendant, in the District aforesaid, in violation of the Food and Drugs Act, on April 15, 1914, of a quantity of ammonium bromid prepared on a physician's prescription as follows:

"ODEN R. SUDLER, M. D.

1108 New Hampshire Avenue

Washington, D. C.

R

Ammon. Brom.....	3ii
Aq. Cinnam.....	3iv

M. Sig:—One dessertspoonful in a wineglassful of water every 3 hours.

O. R. Sudler."

which was adulterated and misbranded. The article was labeled: "Purity our motto W. P. Kenealy, Prescription Druggist No. 108214 Dr. Sudler. Dessertspoonful in a wineglass of water every 3 hrs. 4-15-14 Cor. N. Capitol and Eye Streets, Washington, D. C. Opp. St. Aloysius Church Compounded by _____ Checked by _____ We guarantee the quality of this prescription regarding purity accuracy and as being strictly in accordance with the physicians order. W. P. Kenealy."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the presence of 0.267 drams ammonium bromid per fluid ounce.

Adulteration of the article was alleged in the information for the reason that the prescription aforesaid called for two drams of ammonium bromid in four fluid ounces of cinnamon water, and when sold as aforesaid said drug purported to contain two drams of ammonium bromid in four fluid ounces of cinnamon water, whereas, in truth and in fact, the purity and strength of said drug fell below the professed standard or quality under which it was sold, in that it did not contain two drams of ammonium bromid in four fluid ounces of cinnamon water, but did contain a less amount, to wit, approximately, one dram of ammonium bromid in four fluid ounces of cinnamon water.

Misbranding was alleged for the reason that the statement, to wit, "We guarantee the quality of this prescription regarding purity accuracy and as being strictly in accordance with the physicians order. W. P. Kenealy," borne on the label attached to the bottle, was false and misleading in that it represented that the article was compounded strictly in accordance with the physician's order, which called for two drams of ammonium bromid to four fluid ounces of cinnamon water, whereas, in truth and in fact, it was not so compounded as it did not contain two drams of ammonium bromid to four fluid ounces of cinnamon water, but did contain a less amount, to wit, approximately, one dram of ammonium bromid to four fluid ounces of cinnamon water.

On February 21, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4574. Adulteration of ham and bacon. U. S. * * * v. 1 Package of Hams and 1 Package of Bacon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6862. I. S. No. 11410-1. S. No. C-328.)

On September 20, 1915, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a package containing 21 hams and another package containing 8 sides of bacon, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped, on or about September 7, 1915, and transported from the State of Texas into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the articles was alleged in the libel for the reason that they consisted in whole or in part of a filthy, putrid, and decomposed animal substance.

On October 30, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, Acting Secretary of Agriculture.

4575. Adulteration and misbranding of aspirin. U. S. * * * v. 25 Pounds * * * of alleged aspirin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6867. I. S. No. 11513-1. S. No. C-329.)

On September 21, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 pounds, more or less, of an article of drug known by the trade name of aspirin, contained in one can, remaining unsold in the original unbroken package at Chicago, Ill., alleging that the article had been shipped on September 15, 1915, and transported from the State of Tennessee into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it fell below the professed standard or quality under which it was sold.

Misbranding was alleged for the reason that the can containing the article bore a statement in words and figures as follows, to wit: "25 Pounds, A. A. S.", which said designation "A. A. S." is known in the trade as acid acetyl salicylic and is also known in the trade as aspirin, whereas, in truth and in fact, the article was not genuine acid acetyl salicylic or aspirin, but was an imitation of, and was offered for sale under the name of, another article, to wit, genuine acid acetylsalicylic or aspirin.

On November 4, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, Acting Secretary of Agriculture.

4576. Adulteration of canned pork and beans. U. S. * * * v. 650 Cases * * * of * * * Pork and Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6873. I. S. No. 11512-1. S. No. C-332.)

On September 25, 1915, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 650 cases, each containing two dozen cans, of pork and beans, remaining unsold in the original unbroken packages at Peoria, Ill., alleging that the article had been shipped and transported from the State of Michigan into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it contained and in part consisted of a decomposed vegetable substance.

On November 3, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4577. Adulteration of horse beans. U. S. * * * v. 612 Sacks of Horse Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6875. I. S. No. 2511-I. S. No. E-394.)

On September 24, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 612 sacks of horse beans, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped, on or about August 26, 1915, and transported from the State of California into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in particular [part] of wormy or worm-eaten beans, contrary to the provisions of section 7, subdivision 6 under food, of the Food and Drugs Act.

On October 25, 1915, James Chieves & Co., New York, N. Y., having filed its stipulation admitting the truth of the allegations in the libel and consenting to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released and delivered to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$2,000, in conformity with section 10 of the act, conditioned that the goods, after their release, be sorted out under the supervision of the Department of Agriculture, and that so much of the same as should be found to be unfit for food should be destroyed or denatured at the expense of the claimant, the balance thereof to be disposed of according to law.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4578. Adulteration of horse beans. U. S. * * * v. 1 Carload of Horse Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6876. I. S. No. 2313-1. S. No. E-395.)

On September 27, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a carload of horse beans, remaining unsold and unloaded from the car at New York, N. Y., alleging that the article had been shipped, on or about August 21, 1915, and transported from the State of California into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in particular [part] of a partially decomposed vegetable product, wormy and worm-eaten beans, contrary to the provisions of section 7, subdivision 6 under food, of the Food and Drugs Act.

On October 18, 1915, Joseph Glanzer and Abraham Glanzer, copartners composing the firm of Glanzer Bros., New York, N. Y., having filed their claim admitting the truths of the allegations in the libel and consenting to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant firm upon payment by it of the costs of the proceedings and the execution of bond in the sum of \$2,000, in conformity with section 10 of the act, conditioned that the goods should be sorted out and disposed of according to law, at the expense of said claimant firm.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4579. Misbranding of "Mother Noble's Healing Syrup." U. S. * * * v. Clark Johnson Medicine Co., a corporation. Plea of guilty. Fine, \$40. (F. & D. No. 6877. I. S. No. 708-k.)

On February 18, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Clark Johnson Medicine Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on June 12, 1914, from the State of New York into the State of Pennsylvania, of a quantity of "Mother Noble's Healing Syrup," which was misbranded. The article was labeled: (On carton) "Mother Noble's Healing Syrup Directions: Dose.—One half teaspoonful in a wine-glass of water, three times per day, immediately after eating. It can be sweetened if desired. If this dose should operate on the bowels too freely, reduce the dose; if not enough, increase the dose. Shake the Bottle Before Using. Or you can make the medicine into Syrup, if preferred, by putting the contents of this into a one pint bottle and fill it up with water, adding sugar to the taste. Dose in this form, from a teaspoonful to a tablespoonful three times per day, immediately after eating. Note.—The first directions given above are perhaps more convenient and otherwise better. For all Diseases of the Liver, Kidneys, Stomach, Bowels, Skin and Blood. This Bottle contains the virtues of a pound of the Herb, and makes a pint of the syrup, and is double in quantity with double the strength of any medicine sold at the same price. Guaranteed by Clark Johnson Medicine Co., under the Food and Drugs Act, June 30, 1906. Serial No. 2053. Mother Noble's Healing Syrup Trade Mark The Great English Remedy, For all Diseases of the Stomach, Liver, Kidneys and Blood. Price 50 Cents. Directions. One-half teaspoonful to a wine-glass of water, three times per day, immediately after eating. It can be sweetened, if desired. If this dose should operate on the bowels too freely, reduce the dose; if not enough, increase the dose. Shake the Bottle Before Using. Prepared by Dr. E. P. Huyler, Successor to Abel King, M. D., Clark Johnson Medicine Co., Props., New York. An Extraordinary Discovery in Nature. A Blessing to the Human Family. For all Diseases of the Liver, Kidneys, Stomach, Bowels, Skin and Blood." The circular, pamphlet, or leaflet accompanying the article contained, among other things, the following: "Mother Noble's Healing Syrup * * * an unfailing remedy for Dyspepsia, Liver Diseases, Fever and Ague, Rheumatism, and all other diseases of the Liver, Kidneys, Stomach, Bowels, Skin and Blood. A Purely Vegetable Remedy which Invigorates the Liver, Purifies the Blood, Regulates the Bowels, Tones the Stomach, Opens the pores of the Skin, Acts upon the Kidneys, Quiets the Nerves, Promotes Digestion and Nourishes and Strengthens the Whole System. All who are afflicted with Kidney Disease, Dropsy &c., should not delay in procuring relief through the aid of 'Mother Noble's Healing Syrup.' It regulates the condition which produces the afflicting result, neutralizes the acidity of the Blood, and in a short time the result is happily made manifest. It is equally efficacious in Rheumatism, Gout &c., neutralizing the acidity upon which this painful difficulty depends. Your Stomach can consume more material in twelve hours and with greater satisfaction to you when it is brought in suitable quantity and at the proper time, than it can in twenty-four hours if crowded to its full capacity. A fire can not burn properly if the stove be crowded full of wood, but when the fuel is added with judgment, the result is satisfactory. But if you will persist in loading the Stomach with more work than it can properly perform or have already weakened it by abuse, then be supplied with a bottle of 'Mother

Noble's Healing Syrup' and you can overtax and overburden your poor Stomach to your heart's content, for the Healing Syrup so increases the quantity of the gastric juice, that it instantly takes hold of the food, and dissolves it, causing it to pass out of the Stomach without difficulty. But in all cases, where the Healing Syrup is taken for Indigestion or Dyspepsia it should be taken instantly after eating." "Motley's Depot, Pittsylvania Co., Va., Dear Sir:—This is to certify that I have been cured of Kidney Disease by the use of Mother Noble's Healing Syrup, and can recommend it as a very safe and reliable medicine. It only needs a trial to convince one of its merits. John Kusee." "Gosport, Owen Co., Ind. Dear Sir:—I was afflicted with Piles for forty-six years. I took some of Mother Noble's Healing Syrup, and I can assure you that I have been effectually cured. They may say what they please but the Syrup is the only reliable remedy. Angelina Carter." "Smithville, Wayne, Co., Ohio. Dear Sir:—I was troubled with Dropsy for four months, which the doctors absolutely failed to cure, but after taking Mother Noble's Healing Syrup I was effectually cured. It is a wonderful medicine. John Myers."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Ferric chlorid (per cent)-----	0. 40
Magnesium sulphate (per cent)-----	1. 33
Sand (per cent)-----	0. 25
Invert sugar (gram per 100 cc)-----	0. 27
Alkaloids: Absent.	
Glycyrrhizin: Present.	

An aqueous solution of a vegetable cathartic drug, brown in color, and containing a large amount of undissolved material, mostly licorice.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On carton) "Mother Noble's Healing Syrup * * * for all diseases of the liver, kidneys, stomach, bowels, skin and blood * * * The Great English Remedy * * *," and included in the circular or leaflet aforesaid, to wit, "Mother Noble's Healing Syrup * * * an unfailing remedy for Dyspepsia, Liver Diseases, Fever and Ague, Rheumatism * * *," "All who are afflicted with Kidney Disease, Dropsy * * * should not delay in procuring relief through the aid of 'Mother Noble's Healing Syrup.' It regulates the condition which produces the afflicting result, neutralizes the acidity of the blood, and in a short time the result is happily made manifest," "It is equally efficacious in Rheumatism, Gout &c., neutralizing the acidity upon which this painful difficulty depends," "You can overtax and overburden your poor stomach to your heart's content, for the Healing Syrup so increases the quantity of the gastric juice, that it instantly takes hold of the food, and dissolves it, causing it to pass out of the Stomach without difficulty," "But in all cases, where the Healing Syrup is taken for Indigestion or Dyspepsia it should be taken instantly after eating," " * * * I have been cured of kidney disease by the use of Mother Noble's Healing Syrup * * *," " * * * I was afflicted with the piles for forty-six years. I took some of Mother Noble's Healing Syrup, and I can assure you that I have been effectually cured * * *," " * * * I was troubled with dropsy for four months, which the doctors absolutely failed to cure, but after taking Mother Noble's Healing Syrup I was effectually cured * * *," were false and fraudulent in that they were applied to said article knowingly, and in

reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for all diseases of the liver, kidneys, stomach, bowels, skin, and blood, as an unfailing remedy for dyspepsia, liver diseases, fever and ague, and rheumatism, and as a remedy for kidney disease, dropsy, gout, indigestion, dyspepsia, and as a cure for kidney disease, piles, and dropsy, whereas, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents.

On February 23, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$40.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4580. Adulteration of eggs. U. S. * * * v. 4 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6878. I. S. No. 11409-1. S. No. C-327.)

On September 17, 1915, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 cases, each containing 30 dozen, of eggs, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped, on or about September 9, 1915, and transported from the State of Kansas into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a filthy, putrid, and decomposed animal substance.

On October 21, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4581. Adulteration of eggs. U. S. * * * v. 2 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6879. I. S. No. 10902-1. S. No. C-333.)

On September 21, 1915, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 cases, each containing 30 dozen, of eggs, remaining unsold in the original unbroken packages, at Kansas City, Mo., alleging that the article had been shipped, on or about September 15, 1915, and transported from the State of Kansas into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a filthy, putrid, and decomposed animal substance.

On October 30, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4582. Adulteration of canned pork and beans. U. S. * * * v. 650 Cases of Pork and Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6882. I. S. No. 11509-1. S. No. C-331.)

On October 1, 1915, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 650 cases, each containing two dozen cans, of pork and beans, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped, on or about September 15, 1915, and transported from the State of Illinois into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a filthy and decomposed vegetable substance.

On October 30, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4583. Misbranding of "Stuart's Buchu and Juniper Compound." U. S. * * * v. 144 Packages * * * of * * * "Stuart's Buchu and Juniper Compound." Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6883. I. S. No. 11322-L. S. No. C-334.)

On September 23, 1915, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 144 packages, more or less, of a drug designated "Stuart's Buchu and Juniper Compound," remaining unsold in the original unbroken packages at Cincinnati, Ohio, alleging that the article had been shipped and transported from the State of Georgia into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled: (On bottle) "Stuart's Buchu and Juniper Compound Alcohol 16% Prepared by Stuart Manufacturing Co. Atlanta Ga. Kidney and Liver Remedy and Invigorating Cordial Trade Mark No. 4570. Guaranteed by John B. Daniel, Atlanta, Ga. under the Pure Food and Drugs Act of June 30, 1906. This remedy is recommended for Acute and Chronic Diseases of the Kidneys, Liver, Bladder, Urinary Organs, Kidney Complaint and Uric Acid Troubles, which often lead to Bright's Disease Adult Dose * * *" (Paster over cork) "Jno B Daniel Druggist Atlanta, Ga." (On carton) "Stuart's Buchu and Juniper Compound Alcohol 16% Prepared by Stuart Manufacturing Co. Atlanta, Ga. Kidney and Liver Remedy and Invigorating Cordial Price \$1.00 This is a compound of the most useful diuretics and demulcents so combined as to act as a tonic and alterative to the liver and kidneys. Stuart Mfg. Co. Atlanta, Georgia. * * * Stuart's Buchu and Juniper Compound Alcohol 16% Manufactured by Stuart Mfg. Co. Atlanta, Ga. John B. Daniel, Proprietor. For the Following Troubles. Incontinence or Non-Retention of Urine; Irritation, Inflammation or Ulceration of the Bladder, Kidneys and Urinary Glands; Diseases of the Prostate Glands, Stone in the Bladder, Calculus, Gravel or Brick Dust Deposit, Mucous or Milky Discharges, and all diseases or affections of the Bladder, Kidneys and Urinary Organs in men, women and children; also Dropsy, Dropsical Swellings. Weakness arising from Excesses. Habits of Dissipation. Early Indiscretion or Abuse, attended with the following symptoms: Indisposition to exertion, loss of power, loss of memory, difficulty of breathing, weak nerves, trembling, horror of disease, dimness of vision, wastefulness, pain in the back, loins or kidneys, hot hands, flushing of the cheek, dryness of the skin, pallid countenance, etc. Persons who are suffering from diseases of the kidneys, Bladder, Weak Back, etc., should be temperate in eating, drinking, and all their habits. Stuart Manuf'g Co. Atlanta, Ga. For inflammation of the Kidneys, Brick Dust Deposit, Catarrh of the Bladder, Diabetes, Dropsy, Gravel, Headache, Constipation, Incontinence of the Urine Pain in the Back and Side, Loss of Appetite, General Debility, Neuralgia, Sleeplessness, Rheumatism, Nervousness. And For All Diseases of the Urinary Organs in Either Sex Directions * * * Price \$1.00 Stuart Manuf'g Co. Atlanta, Ga." (On circular) "Diseases of the Kidneys are the most dangerous because they are usually far advanced before any pain is felt by the sufferer. The first symptoms of fatal diseases of the kidneys are often seen in other organs of the body, before anything is noticed wrong with the kidneys. Bright's Disease of the Kidneys. It is that form in which the diseased Kidneys allow the Albumen and the Fibrin of the Blood to drain out in the Urine while the Uric Acid, Urea and other waste products are retained and poison the system. * * * For all the above symptoms we advise the use of Stuart's Buchu and Juniper

Compound because of its direct action upon the diseased kidneys. It helps restore the kidneys to their healthy action, and thus stops the loss of the albumen and fibrin of the blood. Stuart's Buchu and Juniper Compound should be used at once upon any suspicion of Bright's Disease, and its use continued until perfect health is restored. * * * Kidney Disease and Congestion of the Kidneys, etc. Other forms of kidney disease, congestions and inflammations result from exposure and improper habits, or they follow various diseases, such as scarlet fever, diphtheria and malaria, that disturb the proper action of the kidneys so as to prevent them from casting out the impurities through the urine. * * * Stuart's Buchu and Juniper Compound is advised for all of the above symptoms. By its direct action on the bladder, Stuart's Buchu and Juniper Compound helps drain the impurities out through the urine, and in this way a perfect cure is made. Catarrh of the Bladder, Cystitis, etc. These diseases naturally follow where any disorder of the kidney changes the nature and quality of the urine. This diseased urine accumulates in the bladder and causes acute or chronic inflammation (cystitis), ulcerations or catarrh of the bladder and urinary tract. Therefore this condition cannot be cured until the source of the disease is removed. Take Stuart's Buchu and Juniper Compound for above trouble. It helps to bring the kidneys back to their normal action, so that the urine is healthy and is no longer a cause of irritation. Gravel, Stone in the Bladder, Etc. When the uric acid and urea are not regularly expelled from the system by the kidneys the accumulation often takes the form of crystals or small masses of solid substances. * * * For the above symptoms we advise a continued use of Stuart's Buchu and Juniper Compound. It helps wonderfully in dissolving and carrying out of the system the uric acid and urea, which are the immediate causes of the disease. At the same time Stuart's Buchu and Juniper Compound helps heal the wounded and ulcerated surfaces which have been injured by the presence of the solid crystals of uric acid, etc., so that in a short time the natural operations of the kidneys and urinary organs are carried on healthy and without suffering. Diabetes. In this disease the secretion of urine is very abundant, it is of a high color and low specific gravity; it usually contains sugar; there is much loss of flesh; a tendency to formation of tumors, boils, carbuncles, etc., the patient suffers much from headache and nearly constant thirst, with marked loss of strength and vigor. Stuart's Buchu and Juniper Compound is advised for Diabetes in every form, and should be used promptly and at the earliest possible stage of this most insidious disease. * * * Stuart Drug Co., Atlanta, Georgia."

Misbranding of the article was alleged in the libel for the reason that the labels, marks, and brands aforesaid, on the packages of said drug product, bore a certain statement, to wit, the name "Buchu and Juniper Compound," regarding the drug and the ingredients and substances contained therein, which said statement was false and misleading in that it represented said drug to contain and be composed of buchu and juniper, whereas, in truth and in fact, it contained no appreciable amount of buchu and juniper. Misbranding was alleged for the further reason that the aforementioned statements borne upon and contained within the packages aforesaid, and upon the labels of the same, regarding the curative and therapeutic effects of said drug and of the ingredients and substances contained therein, were false and fraudulent in that said drug contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed in the statements upon and in said packages as hereinbefore set forth, and, further, in that said drug was insufficient of itself for the successful treatment and cure of the ailments and dis-

eases for which it was prescribed and recommended in the statements upon and in said packages and labels hereinbefore set forth.

On October 28, 1915, John B. Daniel, (Inc.), Atlanta, Ga., having filed its claim admitting the facts set forth in the libel and consenting to a decree, judgment of condemnation and forfeiture was entered, and it appearing to the court that the labels and brands on the product might be altered so that it might be sold lawfully and without violating any law of any State of the United States, it was ordered by the court that the packages containing the article should be relabeled under the supervision of a United States food and drug inspector, and that the same should be released and restored to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$125, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4584. Adulteration of eggs. U. S. * * * v. 15 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6884. I. S. No. 10901-L. S. No. C-321.)

On September 17, 1915, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 cases, each containing 30 dozen, of eggs, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped, on or about September 3, 1915, and transported from the State of Kansas into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a filthy, putrid, and decomposed animal substance.

On October 21, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4585. Adulteration of eggs. U. S. * * * v. 4 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6835. I. S. No. 11407-L. ' S. No. C-325.)

On September 17, 1915, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 cases, each containing 30 dozen, of eggs, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped, on or about September 2, 1915, and transported from the State of Kansas into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a filthy, putrid, and decomposed animal substance.

On October 21, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4586. Adulteration of eggs. U. S. * * * v. 2 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6886. I. S. No. 11408-1. S. No. C-326.)

On September 17, 1915, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 cases, each containing 30 dozen, of eggs, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped, on or about September 3, 1915, and transported from the State of Kansas into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a filthy, putrid, and decomposed animal substance.

On October 21, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4587. Adulteration of horse beans. U. S. v. 707 Sacks of Horse Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6888. I. S. No. 2515-I. S. No. E-405.)

On October 4, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 707 sacks of horse beans, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped, on or about September 27, 1915, and transported from the State of California into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in particular [part] of a wormy, filthy, decomposed vegetable product, to wit, worm-infested beans, contrary to the provisions of section 7, subdivision 6 under food, of the said Food and Drugs Act.

On October 25, 1915, James Chieves & Co., New York, N. Y., claimant, having admitted the truth of the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be redelivered to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$2,000, in conformity with section 10 of the act, conditioned that the goods should, after their release to said claimant, be sorted out under the supervision of the Department of Agriculture, and so much of the merchandise as should be found by said department to be unfit for food should be destroyed (or denatured) at the expense of said claimant, and the balance thereof to be disposed of according to law.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4588. Adulteration of table-salt, sugar, sweet and sour pickles, currants, raisins, ground and unground coffee, mince meat, and chocolate. U. S. v. 85 Barrels of Salt, 350 Sacks of Sugar, 90 Kits of Pickles, 7 Cases of Currants, 5 Boxes of Raisins, 40 Cases Ground and Unground Coffee, 500 Packages of Mince Meat, and 58 Boxes of Chocolate. Consent decree of condemnation and forfeiture. Products ordered released on bond. (F. & D. No. 6889. I. S. Nos. 10022-1, 10023-1, 10024-1, 10025-1, 10026-1, 10027-1, 10028-1, 10029-1, 10030-1. S. No. C-341.)

On October 4, 1915, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 85 barrels of salt, 350 sacks of sugar, 90 kits of pickles, 7 cases of currants, 5 boxes of raisins, 40 cases of ground and unground coffee, 500 packages of mince meat and 58 boxes of chocolate, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the various articles had been shipped, on or about September 18, 1915, and transported from the State of Kansas into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the articles was alleged in the libel for the reason that all of them and each of them consisted, in whole or in part, of a filthy, decomposed, and putrid animal and vegetable substance.

On October 25, 1915, I. H. Royce, Kansas City, Mo., claimant, having admitted the allegations of the libel to be true and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the articles be delivered to said claimant upon the payment of the costs of the proceedings and the execution of bond in the sum of \$1,000, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4589. Adulteration of sardines. U. S. * * * v. 100 Cases of Canned Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6892. I. S. No. 2204-L. S. No. E-403.)

On October 4, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 cases of canned sardines, remaining unsold in the original unbroken packages at Newburgh, N. Y., alleging that the article had been shipped, on or about August 13, 1915, and transported from the State of Maine into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "H. C. O. Brand Holmes Company American Sardines (Design of fish) in Cottonseed Oil. Packed at Robbinston Maine Guaranteed by Holmes Company Net Weight 3 $\frac{1}{4}$ oz."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance, to wit, decayed sardines, contrary to the provisions of section 7, subdivision 6 under food, of the said Food and Drugs Act.

On October 30, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4590. Adulteration of fava, or horse beans. U. S. v. 13 Bags of Fava, or Horse Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 6895, 6896. I. S. Nos. 2122-1, 2123-1. S. No. E-404.)

On October 4, 1915, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 13 bags of fava, or horse beans, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped and transported from the State of New York into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel of information for the reason that the same consisted in part of a filthy, putrid, and decomposed vegetable substance.

On November 2, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4591. Adulteration and misbranding of maple sirup. U. S. * * * v. Merwin E. Leslie, trading as Leslie Dunham & Co. Plea of guilty. Fine, \$20. (F. & D. No. 6899. I. S. No. 22098-h.)

On March 2, 1916, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Merwin E. Leslie, trading as Leslie Dunham & Co., Newark, N. J., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about June 20, 1914, from the State of New Jersey into the State of Maryland, of a quantity of maple sirup which was adulterated and misbranded. The article was labeled: "Pure Vermont Maple Syrup Hopper, McGaw & Co. Importers & Grocers, Charles & Mulberry Streets, Baltimore, Md."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Solids by refraction (per cent)-----	68.21
Nonsugar solids (per cent)-----	1.51
Sucrose, Clerget (per cent)-----	60.31
Reducing sugar before inversion (per cent)-----	6.39
Commercial glucose (factor 163): None.	
Polarization, direct (°V)-----	+57.0
Polarization, invert at 26° C (°V)-----	-21.2
Polarization, invert at 87° C (°V)-----	0.0
Ash (per cent)-----	0.46
Ash, soluble in water (per cent)-----	0.25
Ash, insoluble in water (per cent)-----	0.15
Alkalinity of soluble ash (cc N/10 acid per 1 gram)-----	0.33
Alkalinity of insoluble ash (cc N/10 acid per 1 gram)-----	0.37
Lead precipitate (Winton number)-----	0.83

The analysis showed that sugar sirup had been substituted in part for pure maple sirup.

Adulteration of the article was alleged in the information for the reason that a substance other than maple sirup, to wit, sugar sirup, had been mixed and packed with the article so as to lower, or reduce, and injuriously affect its quality and strength, and had been substituted, in whole or in part, for pure Vermont maple sirup, which the article purported to be.

Misbranding was alleged for the reason that the article was an imitation of, and was offered for sale and sold under the distinctive name of, another article, to wit, maple sirup, whereas, in truth and in fact, it was not maple sirup, but was an imitation product composed, in whole or in part, of a sirup other than maple, to wit, sugar sirup. Misbranding was alleged for the further reason that the statement, to wit, "Pure Vermont Maple Syrup," borne on the label of the article, was false and misleading in that it represented that the article was pure Vermont maple sirup, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure Vermont maple sirup, whereas, in truth and in fact, it was not, but was an imitation product consisting, in whole or in part, of sugar sirup.

On May 8, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$20.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4592. Adulteration of tomato pulp. U. S. v. 3,972 Cans of Tomato Pulp.
Default decree of condemnation, forfeiture, and destruction.
(F. & D. No. 6904. I. S. No. 10505-1. S. No. C-344.)

On October 6, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3,972 cans, each containing 1 gallon, of tomato pulp, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on September 10, 1915, and transported from the State of Indiana into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that, when it was so shipped as aforesaid, it consisted in part of a filthy vegetable substance; for the further reason that it consisted, in part, of a decomposed vegetable substance; for the further reason that it consisted, in part, of a putrid vegetable substance; for the further reason that it consisted wholly of a filthy vegetable substance; for the further reason that it consisted wholly of a decomposed vegetable substance, and for the further reason that it consisted wholly of a putrid vegetable substance.

On November 4, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the property should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4593. Adulteration of strained tomatoes. U. S. * * * v. 100 Cases and 25 Cases * * * of Strained Tomatoes. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 6905, 6906. I. S. Nos. 3501-1, 3502-1. S. No. E-412.)

On October 7, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 100 cases and 25 cases, each containing four dozen cans, of strained tomatoes, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped, on or about September 21, 1915, and transported from the State of Maryland into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The cases were branded: "4 doz. No. 1 Reddens Tomato Pulp—Packed by G. T. Redden & Company, Denton, Md. 80350—9/25." The retail packages were labeled: "Strained tomatoes" (picture of whole ripe tomato) "made from whole tomatoes and tomato trimmings. Contents ten oz. packed by G. T. Redden & Co., Denton, Md."

Adulteration of the article was alleged in the libels for the reason that it consisted in particular [part] of a filthy and decomposed vegetable substance, to wit, decayed tomatoes.

On October 30, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4594. Misbranding of "Wright's Indian Vegetable Pills." U. S. * * * v. 7½ Gross Packages of "Wright's Indian Vegetable Pills." Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6907. I. S. No. 3308-1. S. No. E-408.)

On October 13, 1915, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7½ gross packages of "Wright's Indian Vegetable Pills," remaining unsold in the original unbroken packages at Ponce, Porto Rico, alleging that the article had been shipped, on or about July 14, 1915, and transported from the State of New York into the Island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled, in part: (On wrapper) "Wright's Indian Vegetable Pill Company, the pills in the yellow wrapper are plain, those in the white wrapper sugar-frosted." The circular around the box inside the wrapper was printed in Spanish and contained, among other things, the following (translated into English): "Yellow-fever cured. Our doctors declared that it was yellow-fever, but their science could not detain the progress of the disease. * * * I had the opportunity to administer the pills to several persons who lived with me and who fell ill of the fever, and with two doses of eight pills each they were cured completely. Afterwards, I gave almost all of my pills to some twenty or thirty persons and all of them were relieved as by enchantment." "Wright's Indian Vegetable Pills: * * * For the treatment of the following diseases: intermittent, remittent, nervous, inflammatory and putrid fevers; * * * smallpox and erysipelas; inflammations of the brain, throat, stomach, lungs, liver, intestines, kidneys and bladder, pains of the stomach, back and side, consumption; hydropesia of the head, chest, abdomen and legs; scrofula, scurvy and venereal disease; cancer, gravel, * * * acute and chronic rheumatism * * * paralysis, dyspepsia, hypochondriasis, tetanus, epilepsy, whooping-cough, palpitation of the heart, ulcers and sores of all kinds, hysteria, weakness of the nerves, * * * chlorosis and other delicate diseases of women." "These singular pills not only clean the stomach and bowels completely from all bilious humors and other impurities, but they also cause several healthy evacuations from the lungs, skin and kidneys. Consequently, with a single combined operation this marvellous medicine opens all of the natural conduits and flings all disease from the body * * * a purifier in the true sense of the word, because they completely clean the system, * * * it being equally impossible that they fail to better him who takes them. * * * Certain that they always produce good; it is evident that they are the medicine indicated for all cases, and, consequently, no time must be lost in paying attention to what those of contrary opinion may say. All that has to be asked is: 'Is the person ill?'—If so, the sooner that several doses of these pills are given to him (it does not matter what may be the disease) the sooner will he be cured * * * if the dose be repeated every night at retiring, for several days, there is no ill nor pain of all that afflict us which does not give in to their marvellous influence. The ordinary dose is two to four pills for a big person * * * in acute and inflammatory diseases, as fevers of all kinds, inflammatory rheumatism, erysipelas, measles, smallpox, colics, cholera morbus, dysentery, etc., or when there is a great pain in any part of the body the dose must not be less than six to eight pills morning and night (or slightly more if the symptoms be violent) until the inflammation lowers and the pain stops, and afterwards two to three pills each 24-hours will be sufficient, and the cure will be radical. In all chronic diseases (inveterate diseases) the ordinary dose for a large

person is two to four pills; this dose will be repeated each 24-hours until the pain stops. * * * Fevers, * * * Wright's Indian Vegetable Pills are the remedy indicated for all kinds of fever, * * * dyspepsia or indigestion. * * * The cure of dyspepsia must be sure and the pills are an infallible remedy. When the dyspepsia is accompanied with headache, ache in the side and chest, rheumatic pains, etc., in various parts of the body, etc., Wright's Indian Vegetable Pills will be taken, * * * and in a little time the patient will recover his health completely. Rheumatism and gout, * * * and in this manner they cure rheumatism and gout in a short time and radically; and they expel all kinds of disease from the body. * * * Pulmonary consumption, * * * we see then that consumption, like any other disease, comes from the impurity of the blood, and, consequently, the true curative method will be to purify 'the vivifying fluid.' The virtue of Wright's Indian Vegetable Pills is truly extraordinary; these pills operate in such a manner that they work on the lungs, skin, kidneys and bowels as sudorifics, diuretics and purgatives, expelling all of the impurities from the body, and by having perseverance the system will be cleaned entirely from all of those corrupt humors which, deposited in the lungs, are the cause of this disease. The dose * * * with this there will not remain a vestige of the disease." "Diseases of Woman.—In all cases of menstrual obstructions, whether total or partial, Wright's Indian Vegetable Pills are very efficient; * * * in a very short time this irregularity will be corrected; and in this manner the blood and other fluids will be purified, all of the diseases which come from this menstrual irregularity will be expelled from the system. But if, on the contrary, the menstruation be too frequent, * * * following this plan properly the system will recover all of its strength and vigor." "Pregnancy.—During this critical period Wright's Indian Vegetable Pills will be very beneficial, because they clean the body of all of those morbid humors which if they be not expelled not only endanger the mother, but also the child will be more exposed when born to measles, smallpox, whooping-cough and other childish diseases." "Some women enjoy better health when they are pregnant, but this is very rare; the major part of them suffer nausea, vomiting, cardialgia, (lively pain in the mouth of the stomach), headaches, toothaches, constipation, piles, diarrhoea and other inconveniences which can be prevented by taking from time to time Wright's Indian Vegetable Pills. Taking 2 to 4 pills two or three times a week, the mother can be promised a happy parturition and a robust and vigorous child." " * * * Conclusion, * * * it is evident that to cure with this remedy is not to change it for another * * * it is to cut the root; it is to stop the cause, and consequently the effect; it is, at length, to cure completely and radically. * * * As to the truth (of these observations), it will be sufficient to say: That nature itself teaches them and consequently they must be true."

Misbranding of the article was alleged in the libel for the reason that the circulars enclosing the same contained the statements hereinbefore set out which were false, fraudulent, and misleading, and said product was therefore misbranded in violation of section 8 of the Food and Drugs Act, paragraph 3, and as amended by the Act of August 23, 1912, a chemical analysis showing that the pills contained no ingredient that would produce the effects claimed in said label or circular; and said article was mislabeled and misbranded so as to deceive and mislead the purchaser or purchasers in that the package and circular containing the article bore statements regarding it and the ingredients and substances contained therein which were false, fraudulent, and misleading; that is to say, that the circular enclosing the packages and making a part thereof

was so phrased as to lead the public to believe that said article was a useful and good medicine and would cure the various ills and diseases and complaints as set out in said circular, whereas, in truth and in fact, it was not of a medical nature such as would produce any such result, and was entirely worthless for that purpose.

On December 1, 1915, the Wright's Indian Vegetable Pill Co., New York, N. Y., claimant, having filed its answer admitting the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceeding, and the execution of a good and sufficient bond in the sum of \$250, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4595. Adulteration of condensed milk. U. S. * * * v. 60 Cases of Condensed Milk. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6909. I. S. No. 3504-I. S. No. E-413.)

On October 9, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 60 cases of condensed milk, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped, on or about September 13, 1915, and transported from the State of South Carolina into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in particular [part] of cans swelled by the accumulation of gas and containing decomposed condensed milk.

On October 30, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, Acting Secretary of Agriculture.

4596. Adulteration and misbranding of oil of gaultheria. U. S. * * * v. 2 Cans of Oil of Gaultheria * * *. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6910. I. S. No. 11518-1. S. No. C-345.)

On October 8, 1915, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 cans, each containing approximately 54 pounds, of an article purporting to be oil of gaultheria, remaining unsold in the original unbroken packages at Kalamazoo, Mich., alleging that the article had been shipped, on or about September 1, 1915, and transported from the State of Virginia into the State of Michigan, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, in part: (Label on outside of wooden container) "Oil of Gaultheria." (Tag on each can marked as follows) "from Southern Root & Herb Co. Wholesale medicated roots, herbs, barks, and essential oils, Damascus, Va. Value \$150."

The allegations in the libel were to the effect that the article was adulterated for the reason that it consisted wholly or in part of oil of birch and of methyl salicylate, not derived from oil of gaultheria, which said oil of birch and methyl salicylate had reduced and lowered the quality and strength of said oil of gaultheria.

The allegations were to the further effect that the article was misbranded in that it was labeled "Oil of Gaultheria," whereas, in truth and in fact, it consisted wholly or in part of oil of birch and of methyl salicylate, not derived from oil of gaultheria, which said oil of birch and methyl salicylate had reduced and lowered the quality and strength of said oil of gaultheria.

On November 8, 1915, J. T. Ray, doing business under the name and style of The Southern Root & Herb Co., Damascus, Va., claimant, having filed his answer admitting, for the purposes of the case only, and for no other purpose, the allegations in the libel, and having consented to a decree, judgment of condemnation and forfeiture was entered, and said claimant having paid the costs of the proceedings, and having executed bond in the sum of \$500, in conformity with section 10 of the act, it was ordered by the court that the product should be delivered to said claimant.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4597. Adulteration and misbranding of tomato purée. U. S. * * * v. 1,000 Cases of Canned Tomato Purée. Tried to the court and a jury. Verdict favorable to the Government as to 1 can and in favor of claimant as to 45 cans. Libel dismissed as to 47,042 cans of the article. (F. & D. No. 6912. I. S. No. 2210-1. S. No. E-414.)

On October 11, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,000 cases, each containing 4 dozen cans, of tomato purée, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped, on or about September 28, 1915, and transported from the State of New Jersey into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The cases were labeled: "4 Doz., Contents 10 oz. net, No. 1 tin, Ceres Brand Tomato Puree, Francis H. Leggett and Co., Distributors, New York." The retail packages were labeled: "Ceres Brand, Contents 10 avoirdupois oz. Tomato Puree, Francis H. Leggett and Company, New York City, Distributors, Reg. U. S. Pat. Off."

Adulteration of the article was alleged in the libel for the reason that it consisted in particular [part] of a filthy, putrid, or decomposed vegetable substance, to wit, decayed tomato, contrary to the provisions of section 7, subdivision 6 under food, of the Food and Drugs Act.

Misbranding was alleged for the reason that the article was contained in cans with labels which bore a picture of a whole ripe tomato and contained no statement that the product was manufactured from peelings, cores, and trimmings, contrary to the provisions of section 8, first general paragraph, and paragraph second under food, of the said Food and Drugs Act.

On December 23, 1915, the case came on for hearing before the court and a jury, the trial continuing with adjournments until December 29, on which date, at the conclusion of the Government's case, the Court, Hand, J., dismissed the libel as to all of the cans except 46, which had been opened and analysed by the Government's analysts. This action was taken upon motion of counsel of Francis H. Leggett & Co., New York, N. Y., claimant, and, in granting the motion, the court said: "I will grant that motion upon the ground that it appears from the evidence that there was a variation in the contents and amount of mold in the different cans, and that it does not sufficiently appear from any testimony offered as to the manufacture of this product and the introduction and filling of the cans which have not been examined, that they contain, filthy, putrid, or decomposed vegetable substance, to wit, decayed matter." After the completion of the introduction of evidence and arguments by counsel, the following charge was delivered to the jury by the court: (Hand, J.)

Gentlemen of the jury: this action is brought under what is known as the Pure Food Law to condemn 46 cans of tomato purée, which are all that are involved before you now, on the ground that those cans are adulterated, and the statute makes a statement in regard to adulteration which I will read to you:

"That for the purposes of this Act an article shall be deemed to be adulterated in the case of food if it consists in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance, or any portion of an animal unfit for food, whether manufactured or not."

For the purposes of this case before you the definition of the statute might be read as follows:

"That for the purposes of this Act an article shall be deemed to be adulterated in the case of food if it consists in whole or in part of a filthy or decomposed animal or vegetable substance."

So that the question which first arises here is whether this article, this tomato purée can be considered filthy or decomposed. If it is filthy or decomposed it is subject to seizure and condemnation under the provisions of the statute. There is no doubt in my mind, and I do not believe that either counsel would contest the proposition that the words "filthy" and "decomposed" are not to be used or considered by you in a purely technical and scientific sense. They are to be used in a practical common sense way, and are to relate to a substantial presence of filth or decomposition. Some of the dictionaries give definitions of these words. For instance, in the Standard Dictionary, filthy is defined as of the nature of or containing filth; dirty; nasty. Filth: anything that spoils or makes foul; that which is filthy or dirty; also, the state or quality of being foul; nastiness; dirt.

I think the question for you to determine here, gentlemen, is, whether upon all the facts appearing in this case there was such a substantial presence of mold in this tomato purée that you regard it as filthy in a natural, practical sense.

Now, to come down to decomposition or decomposed. Some of these experts have given you, among other things, a very technical definition of decomposed, the scientific definition, which relates to structural changes, that is to say, changes in its composition, the breaking down of a complicated system of cells, for instance, into a lower and simpler system of cells. That I take it is not the meaning of decomposed, or decomposition referred to in the statute. Decomposed as given in some of the dictionaries is decayed, rotten, and that is the definition that I shall give to you, and I shall leave to you the question of whether or not upon all the facts appearing in this case you find that there was a substantial degree of decomposition in whole or in part in these 46 cans or any of them. To the extent that you find that there was, you shall condemn the 46 cans or any part of them in which you find such a degree of decomposition exists.

Now, I will say a word in regard to the testimony of these experts. You have probably heard so much about it that you remember very distinctly Doctor Howard's test, his method of examining tomato purée at any rate, and I presume other things. In order to find the presence of molds, as I understand it, two drops are extracted and under a microscope these drops are divided into 25 fields, and then the person making the examination determines whether or not if each field, of the 25 in each drop, that is to say whether in all the 50 fields there are any molds present. If he finds mold in 50 of the fields, he would say that there were a hundred per cent and if he finds molds in 25 of the fields he would say 50 per cent. It is argued that that does not show the percentage of molds at all; it simply shows if there was a hundred per cent according to Doctor Howard's test, that there may be some molds, no matter how little; no matter how extremely little, in each field of the drop, and it is claimed that by a further churning process, or stirring process, or some dividing process of these molds, you could get a more even distribution than the ordinary stirring under Doctor Howard's test, and you could determine the real percentage of the mold in the mixture, which undoubtedly Doctor Howard's test does not attempt absolutely to do. So that on the side of the defendant it is claimed that Doctor Howard's test is too uncertain. He says admittedly some of these tests show only 60 per cent and others show 100 per cent, and it is impossible to get the mixture sufficiently stirred and the molds sufficiently separated so that you can tell how substantial the presence through the mixture or even in any one drop, is of the mold. On the other hand, I think, all of the experts would have to admit that this test of Doctor Howard's is some evidence. It is certainly evidence of the presence of mold. It shows that there are some molds.

Now, taking into consideration, gentlemen, these arguments and counter arguments, for you are made by the law the sole judges of the facts, and if I have intimated anything in regard to the facts you are at liberty to disregard it, you are only to take the law from the Court. Taking all these arguments and counter arguments, I say, into consideration, you are to determine whether upon the whole case there was a sufficient presence of these molds in these cans of tomato purée to render the product filthy or decomposed. If you find that there was such a substantial presence of these molds as to render the product filthy or decomposed, you must find a verdict for the Government. If you find to the contrary you must find a verdict for the defendant.

The defendant has asked me to charge that the jury will remember that the testimony of the Government experts as to the percentage of the fields in which they found mold, are statements of facts, but that the inference that they draw from these facts are opinions which they can accept or reject. I so charge. In other words, the statements of the experts as to this Howard method merely state the method in which they determine the percentage of fields which contain molds. They do not purport to state a definite percentage of molds in the tomato purée. I leave to you the inference that is to be drawn as to the degree of mold that was in this tomato purée from the fact that in these various specimens taken by the Government there was an average of from 60 to 100 per cent of some kind of mold found in the various drops. I also remind you of the fact, gentlemen, that the defendant did not examine the cans examined by the Government, but examined other cans which for reasons it is unnecessary to discuss before you, in my judgment, are not under consideration in this case. I charge you that the Government must establish its case by the preponderance of evidence and if you are in doubt on the whole case as to whether the Government has made a case or not, you must find for the defendant.

I refuse the first two of the requests which I have not charged, which have been submitted by counsel, as follows:

(1) The Government must not only establish its case by the weight of evidence, but, this being a case involving the forfeiture of property, the evidence must be of a clear and convincing character.

(2) If they find products not unwholesomely decomposed, they must find for the claimant.

The jury thereupon retired, and after due deliberation returned into court with its verdict in favor of the Government for the condemnation of one can of the article, and in favor of the claimant as to the remaining 45 cans.

Thereafter, on April 4, 1916, a formal decree of condemnation and forfeiture was entered as to the one can aforesaid, and it was ordered by the court that the costs of the proceedings should be paid by the claimant aforesaid and by the Morris Canning Co., a corporation organized under the laws of the State of New Jersey, the stipulators for the costs herein, and it was further ordered that the 47.042 cans not the subject of the litigation, comprising the remainder of the consignment that had been seized, should be delivered to said claimant without further costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4598. Adulteration and misbranding of aspirin tablets. U. S. * * * v. 50 Bottles and 55 Bottles * * * of alleged Aspirin Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6914. I. S. Nos. 11520-1, 11521-1. S. Nos. C-350, C-351.)

On October 13, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 50 bottles, packed in 3 boxes, each bottle containing 500 alleged aspirin tablets, and 55 bottles, packed in 3 boxes, each bottle containing 1,000 of said tablets, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the 50 bottles had been shipped on September 22, 1915, and the 55 bottles on September 29, 1915, and transported from the State of Maryland into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that the strength and purity thereof, when it was so shipped as aforesaid, fell below the professed standard and quality under which it was sold, to wit, "Aspirin 5 gr.," in that the article of drug did not contain any quantity whatsoever of the article of drug known as aspirin.

Misbranding was alleged for the reason that each of the 50 bottles bore a statement in words and figures as follows, to wit: "500 Compressed Tablets Aspirin 5 Gr. Guaranteed by Burrough Bros. Mfg. Co. under the Food & Drug Act June 30, 1906. No. 2085 Burrough Bros. Mfg. Co. Chemists Baltimore, Md.," and each of the 55 bottles bore a statement in words and figures as follows, to wit: "Burrough 1000 compressed tablets Aspirin 5 gr. Burrough Bros. Mfg. Co. Baltimore, Md." which said statement "Aspirin 5 Gr.," purported to state that the article of drug was genuine aspirin, whereas, in truth and in fact, it was not genuine aspirin, but was an imitation of, and offered for sale under the name of, another article, to wit, genuine aspirin. Misbranding was alleged for the further reason that said labels purported to state the substances contained in the article of drug aforesaid, whereas, in truth and in fact, the article contained acetanilid, and the labels aforesaid failed to bear a statement of the quantity or proportion of the acetanilid contained in said article.

On November 4, 1915, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4599. Adulteration and misbranding of grapefruit. U. S. * * * v. 245 Boxes of Grapefruit. Consent decree of condemnation. Product ordered released on bond. (F. & D. No. 6918. I. S. No. 3206-1. S. No. W-68.)

On or about Oct. 11, 1915, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 245 boxes of grapefruit, remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped and transported from the State of Florida into the State of Colorado, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: "This fruit is selected & carefully packed under instructions furnished by U. S. Government. Dr. P. Phillips, Orlando, Fla. P and D Grower Packer & Shipper."

Adulteration of the article was alleged in the libel for the reason that the grapefruit was green and immature, and was shipped in a car in which the temperature was high and in which was an abundance of moisture for the purpose and with the intent of bringing about a condition which would sweat said grapefruit and thereby cause a change in the color of the rinds thereof from green to yellow, by means of which sweating and the resultant change of color of the rinds of said grapefruit the inferiority thereof would be concealed.

Misbranding was alleged for the reason that said brands and labels contained on the boxes contained statements regarding the article, to wit, grapefruit, which were false and misleading in that said boxes purported to contain fruit carefully packed under instructions furnished by the United States Government, whereas, in truth and in fact, it was packed contrary to instructions furnished by the United States Government and the proper officers thereof, the same being packed while green in color and immature in quality.

On October 21, 1915, the Donaldson Fruit Co., the C. L. Arnett Fruit Co., The Lawrence-Hensley Fruit Co., and The Kelly Fruit Co., Denver, Colo., having filed their claims applying for the release of the grapefruit under bond, and having filed their stipulation that the libel might be taken as confessed and said claimants having executed a good and sufficient bond conditioned upon the performance by said claimants of all orders and decrees of the court, it was ordered that the product should be released to said claimants by the United States marshal.

On October 25, 1915, the court found that the United States of America was entitled to have the grapefruit condemned and ordered that the brand and label: "This fruit is selected and carefully packed under instructions furnished by United States Government" be obliterated, and that each box of grapefruit be branded and labeled: "Immature Grape Fruit. Colored by Sweating," and that each fruit be inclosed in a wrapper branded and labeled: "Immature Grape Fruit. Colored by Sweating," and that no portion of said grapefruit be sold or otherwise disposed of other than under said brand and label and that the owners and claimants of said grapefruit pay all the costs of the proceedings.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4600. Misbranding of "Ascatco." U. S. v. 4 Dozen * * * and 1½ Dozen * * * Bottles of "Ascatco." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6320. I. S. No. 2327-I. S. No. E-415.)

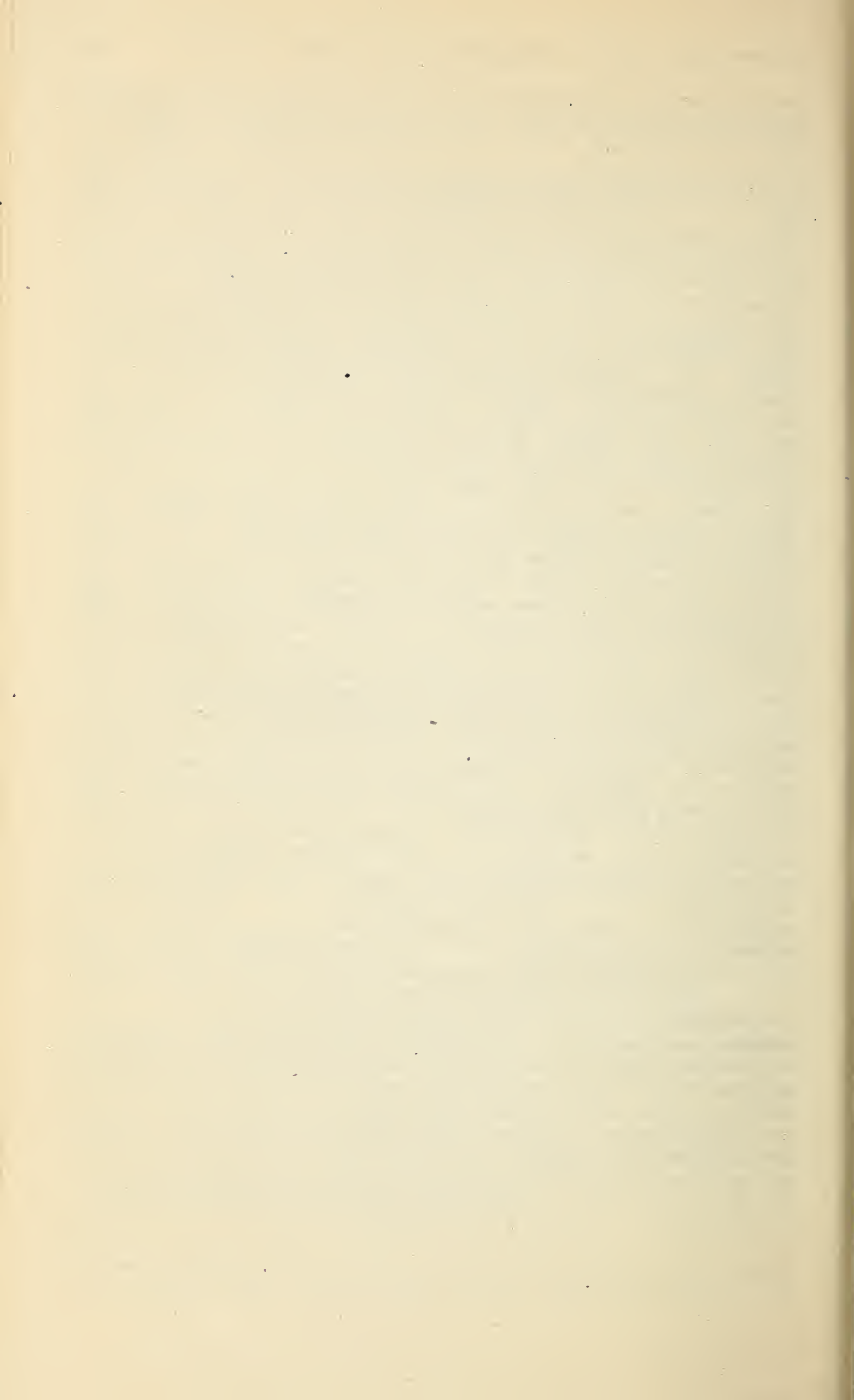
On October 13, 1915, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 dozen small and 1½ dozen large sized bottles of a preparation known as "Ascatco," remaining unsold in the original unbroken packages at Atlanta, Ga., alleging that the article had been shipped about July 6, 1915, and transported from the State of New York into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The retail packages were labeled: (On wrapper) "Gnu" (picture of gnu) "Trade Mark Ascatco Proportion alcohol 13%. Each fluid ounce contains 1 96/100 grains opium. Prepared by The Ascatco Laboratory, 32 West 25th Street, New York. The treatment for asthma, catarrh, bronchitis, hay fever, rose fever and other diseases of the respiratory organs." (On bottle) "Gnu" (picture of gnu) "Ascatco. Proportion alcohol 13%. Each fluid ounce contains 1 96/100 grains opium. Prepared by the Ascatco Laboratory, 32 West 25th Street, New York. The treatment for asthma, hay fever, catarrh and bronchitis. Adult dose 7 drops in water." The retail packages, bottle labels, wrappers and circulars contained, among other things, the following: (Bottle label) "The treatment for asthma, hay fever, catarrh and bronchitis." (On wrapper) "The treatment for asthma, catarrh, bronchitis, hay fever, rose fever and other diseases of the respiratory organs." (In circular) "Ascatco the new treatment for asthma, catarrh, bronchitis and hay fever * * * This treatment for asthma, catarrh, bronchitis and hay fever * * * Ascatco has won its present measure of success through merit alone * * * Its peculiar adaptability to successfully attack and combat the systemic conditions consequent upon asthma and other respiratory troubles * * * Ascatco may be taken in confidence that it is an effective remedy for the particular diseases here described. Ascatco may be said to be a constitutional remedy both palliative and tonic in effect. It is particularly remarkable because of its ability to exert its remedial effect in any climate * * * produces a constant cumulative effect upon the system to which the disease should soon become responsive * * * The action of Ascatco in asthma is prompt. In chronic catarrh * * * is usually efficient * * * Ascatco combats bronchitis up to and including the acute and chronic form, but if the disease has extended to the lungs and presents the form of tuberculosis nothing more than relief is promised. In hay fever Ascatco should afford prompt relief * * * Asthma * * * There is no disease of the respiratory organs in which Ascatco is so effective as in asthma. It is not easy to say how long a time is required for a cure. Ordinary cases have yielded after a few weeks treatment, more obstinate cases requiring longer time. Any asthmatic person may take Ascatco in absolute confidence whatever the form of the asthma may be * * * Hay fever * * * Ascatco's effective work in hay fever must be deemed most remarkable. * * * In order to prevent its appearance persons are urged to begin taking Ascatco six weeks in advance of the period of expected attack. The remedy though is very effectual even after the attack of hay fever has come on * * * It must be understood that in order to be thoroughly effective those taking it must continue its use until frost. Catarrh * * * Bronchitis. Bronchitis may be acute or chronic and consists of an inflammation of the bronchial tubes. In either form it can be reached by Ascatco. It is

confessed, however, that advanced and persistent bronchitis is not so responsive as asthma, catarrh or hay fever. The disease is more deeply seated and therefore harder to eradicate * * * As has been stated Ascateo will reach Bronchitis in the acute form but it does not hold out promise of speedy results in the chronic form when the subject is aged. * * * Influenza or the Grip * * * In the bronchial symptoms of the grip we can recommend Ascateo highly as we do in asthma or bronchitis * * * Coughs and Colds are readily relieved in a few days by a seven-drop dose of Ascateo taken after each meal * * * The use of Ascateo for the prevention and treatment of hay fever * * * Remarkable for its success in combating asthma, catarrh, and bronchitis. It was first used for hay fever in the Summer of 1904 with the most satisfactory results * * * Ascateo is a constitutional or systemic remedy * * * The theory under which it operates as a preventive in hay fever may be stated as a gradual fortification of the system to withstand the disease when the latter is due to make its appearance. * * * Immunity from hay fever through the use of Ascateo * * * One great advantage possessed by Ascateo is its ability to exert its remedial effect in any climate * * * In preventing Hay Fever. For the purpose of preventing attack of hay fever * * * patients should begin taking Ascateo about six weeks in advance of the time of expected attack * * * Taking Ascateo this early the patient should become immune and the disease is prevented. Curable at all stages * * * The disease is curable at all stages of its progress. Ascateo is most effective in minimizing the suffering, and very frequently effects radical results * * * It is most important that the patient shall continue taking Ascateo throughout the period of former duration of the disease * * * Upon the slightest suggestion of the presence of the disease increase the dose immediately to fifteen drops and if this does not drive away the symptoms in a day or two increase the dose to twenty drops and hold to this until the fever abates * * * My wife has been entirely cured of hay fever by Ascateo. * * * Your cure * * * entirely freed from hay fever * * * Hay fever * * * after taking the first two doses I have been free from this malady entirely * * * Hay Fever * * * Ascateo has cured me of that disease * * * Ascateo * * * cured a most stubborn case of catarrh and hay fever. * * * Cured of Hay Fever * * * It has cured my husband entirely of hay fever. * * * Ascateo Treatment for Hay Fever * * * Its curative properties * * * wonderful remedy Ascateo * * * After using several bottles I found that I was cured * * * Ascateo a Wonderful Remedy * * * Says Ascateo stopped Asthma spells * * * After taking a course of Ascateo I have not had a spell of asthma * * * Wonderfully cured of hay fever by Ascateo last summer."

Misbranding of the article was alleged in the libel for the reason that it contained no ingredients or combination of ingredients capable of producing the therapeutic effects claimed by the statements hereinbefore set out appearing upon the bottles, labels, wrappers, and circulars aforesaid, and said statements were false, misleading, and fraudulent.

On April 18, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the article should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*



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Royce, I. H.-----	4588	famous specific No. 18:	
ground:		MacDonald, Jeremiah.-----	4559
Hudson Gram Co.-----	4557	Maple sirup. <i>See</i> Sirup.	
Coffee:		Milk,	
Royce, I. H.-----	4588	condensed:	
Collin's voltaic electric plasters:		-----	4595
Potter Drug & Chemical		Hires Condensed Milk Co.-----	4560
Corporation.-----	4572	Mince meat:	
Compound,		Royce, I. H.-----	4588
Atlas, famous specific No. 18:		Mother Noble's healing sirup:	
MacDonald, Jeremiah.-----	4559	Johnson, Clark, Medicine	
buchu and juniper:		Co.-----	4579
Daniel, John B.-----	4583	Oil of gaultheria:	
Condensed milk. <i>See</i> Milk.		Southern Root & Herb Co.-----	4596
Contrell's magic troche:		Pickles:	
Contrell Co.-----	4569	Royce, I. H.-----	4588
Currants:		Pills:	
Royce, I. H.-----	4588	Wright's Indian Vegetable	
Dairy feed. <i>See</i> Feed.		Pill Co.-----	4594
Eggs:		Plasters,	
-----	4580,	electric:	
4581, 4584, 4585, 4586		Potter Drug & Chemical	
desiccated:		Corporation.-----	4572
-----	4553	Pork and beans. <i>See</i> Beans.	
Electric plasters. <i>See</i> Plasters.		Pulp, tomato. <i>See</i> Tomato pulp.	
Faucine:			
Faucine Co.-----	4563		

	N. J. No.		N. J. No.
Purée, tomato. <i>See</i> Tomato purée.		Tomato,	
Raisins:		ketchup:	
Royce, I. H.-----	4588	Indiana Tomato Seed Co--	4556
Salt:		pulp:	
Royce, I. H.-----	4588	-----	4567, 4592
Sardines:		purée:	
Holmes Co.-----	4589	Leggett, Francis H., & Co--	4597
Sirup,		Tomatoes:	
healing:		Mantik Packing Co.-----	4571
Johnson, Clark, Medicine		Roberts, Thomas, & Co.-----	4561
Co.-----	4579	strained:	
maple:		Harrison, D. L.-----	4554
Leslie Dunham & Co.-----	4591	Redden, G. T., & Co.-----	4593
Stuart's buchu and juniper com-		Troche. <i>See</i> Tablets.	
pound:		Wine:	
Daniel, John B.-----	4583	Shufeldt, Henry H., & Co--	4558
Sugar:		Wishnick:	
Royce, I. H.-----	4588	Weissman, Louis-----	4555
Tablets,		Wright's Indian vegetable pills:	
aspirin:		Wright's Indian vegetable	
Burrough Bros. Mfg. Co.---	4598	Pill Co.-----	4594
troche, magic:			
Contrell Co.-----	4569		

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United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, CHIEF OF BUREAU.

SERVICE AND REGULATORY ANNOUNCEMENTS.

SUPPLEMENT.

N. J. 4601-4650.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., March 31, 1917.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

4601. Adulteration of chestnuts. U. S. * * * v. 30 Sacks * * * of Chestnuts. Default decree of condemnation, forfeiture, and destruction.
(F. & D. No. 6922. I. S. No. 1530-l. S. No. E-417.)

On October 13, 1915, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 30 sacks, each containing 60 pounds, of chestnuts, remaining unsold in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped on October 7, 1915, and transported from the State of Maryland into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled, in part: "From Henderson, Linthicum & Co., Commission Merchants and shippers of fruits and produce. Chestnuts a Specialty. 3 E. Camden St. Baltimore, Md."

Adulteration of the article was alleged in the libel for the reason that it consisted in part, to wit, about 45.3 per cent, of a filthy, decomposed, and moldy vegetable substance infested with worms, which said filthy, decomposed, and moldy vegetable substance infested with worms rendered said chestnuts unfit for human food.

On November 9, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4602. Adulteration of chestnuts. U. S. * * * v. 45 Sacks * * * of Chestnuts. Default decree of condemnation, forfeiture, and destruction.
(F. & D. No. 6923. I. S. No. 1531-L. S. No. E-420.)

On October 14, 1915, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 45 sacks, each containing approximately 70 pounds, of chestnuts, remaining unsold in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped on October 5, 1915, and transported from the State of Virginia into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled, in part: "Choice W Chestnuts."

Adulteration of the article was alleged in the libel for the reason that it consisted in part, to wit, about 33.8 per cent, of a filthy, decomposed, and moldy vegetable substance infested with worms, which said filthy, decomposed, and moldy vegetable substance infested with worms rendered said chestnuts unfit for human food.

On November 9, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4603. Adulteration of eggs. U. S. * * * v. 100 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6924. I. S. Nos. 11412-1, 11413-1. S. No. C-346.)

On October 8, 1915, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 cases, each containing 30 dozen, of eggs, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped, on or about September 24, 1915, and transported from the State of Kansas into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "From A. W. Bear Kansas City Mo. To The Arkansas City Produce Co. Wholesale Shippers of Creamery Butter, Eggs, Poultry and Hides Arkansas City, Kansas." "No. 2."

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a filthy, putrid, [and] decomposed animal substance.

On November 15, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, Acting Secretary of Agriculture.

4604. Misbranding of so-called vodka. U. S. * * * v. 10 Cases * * * of alleged Russian Vodka. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6928. I. S. No. 11519-1. S. No. C-354.)

On October 18, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 cases, containing 200 bottles, of vodka, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on July 24, 1915, and transported from the State of New York into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act.

Misbranding of the article was alleged in the libel for the reason that each of the bottles bore a label containing certain words and figures in the Russian language, and in addition the words and figures as follows, to wit, "Monopol Vodka Made and Bottled in Russia," which said statement, appearing upon each of the labels, was false and misleading in that the labels and the statement appearing thereon as aforesaid purported to state that the article was a foreign product, manufactured in Russia, and deceived and misled the purchaser into the belief that it was a genuine vodka bottled and manufactured in Russia, whereas, in truth and in fact, it was not, but was manufactured in the city of Brooklyn, in the State of New York, in the United States of America, and was an imitation of the liquor or beverage known as vodka, and was offered for sale under the distinctive name of another article, to wit, the article of food, liquor, or beverage known as vodka.

On March 21, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4605. Adulteration of butter. U. S. * * * v. 15 Assorted Packages of Butter. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6929. I. S. No. 3506-1. S. No. E-427.)

On October 18, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 assorted packages of butter, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped and transported from the State of Ohio into the State of New York, the shipment having been received on or about October 15, 1915, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it considered in particular [part] of a filthy moldy product containing large quantities of skippers and maggots, and was sour and rancid.

On November 8, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal. On November 10, 1915, an order was entered reopening the default decree and allowing the Pittsburgh Produce Co. to file its claim and answer. On December 28, 1915, the said claim and answer of the Pittsburgh Produce Co. having been filed, in which the allegations of the libel respecting 11 of the 15 packages of butter were admitted and in which it was set out that 4 of the packages were in good condition, and in which it was consented that a decree be entered condemning the 11 packages of butter, judgment of condemnation and forfeiture was entered as to the 11 packages, and it was ordered that the product should be redelivered to said claimant company upon payment of all the costs of the proceedings and the execution of bond in the sum of \$250, in conformity with section 10 of the act, conditioned that the 11 packages of butter should, after their release to said claimant, be destroyed or denatured under the supervision of the Department of Agriculture at the expense of said claimant, and the balance thereof be disposed of according to law.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4606. Misbranding of so-called vodka. U. S. * * * v. 6 Cases of Alleged Russian Vodka. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6933. I. S. No. 11504-1. S. No. C-356.)

On October 20, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 cases, containing 120 bottles, of vodka, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on July 30, 1915, and transported from the State of New York into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act.

Misbranding of the article was alleged in the libel for the reason that each of the bottles filled with it bore a label containing certain words and figures in the Russian language, and in addition, the words and figures as follows, to wit, "Monopol Vodka Made and Bottled in Russia," which said statement, appearing upon each of the labels attached to the bottles, was false and misleading in that the labels and the statement appearing thereon as aforesaid purported to state that the article was a foreign product, manufactured in Russia, and deceived and misled the purchaser into the belief that it was a genuine vodka, bottled and manufactured in Russia, whereas, in truth and in fact, it was not, but was manufactured in the city of Brooklyn, in the State of New York, in the United States of America, and was an imitation of the liquor or beverage known as vodka, and was offered for sale under the distinctive name of another article, to wit, the article of food, liquor, or beverage known as vodka.

On March 21, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4607. Adulteration of condensed milk. U. S. * * * v. 5 Cases of Condensed Milk. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6935. I. S. No. 1922-I. S. No. E-431.)

On October 20, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 cases of condensed milk, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped, on or about October 16, 1915, and transported from the State of Maryland into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted particularly [in part] of a decomposed animal product.

On November 10, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4608. Adulteration of jelly. U. S. * * * v. 196 Pails of Jelly. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6936. S. No. E-434.)

On October 21, 1915, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 196 pails of jelly, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been delivered for transportation from the State of Maryland into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act. Some of the jelly was labeled, in part: "Net Weight 30 pounds Eagle Brand Imitation Currant Jelly Compounded from juice from Apple Trimmings, Corn Syrup, Phosphoric Acid, Artificially colored with certified color, Distributed by The Jewel Manufacturing Co., the Baker Supply People, Baltimore, Md." "Imitation Currant Jelly" and "Boston Brand Compound Jelly."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable matter and contained large quantities of worms and maggots, and, further, for the reason that said product was moldy.

On December 4, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4609. Adulteration of canned apples. U. S. * * * v. 48 Cases * * * of Apples. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6939. S. No. E-435.)

On October 22, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 48 cases, each containing 12 cans, of apples, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped, on or about October 8, 1915, from the State of Texas into the State of Pennsylvania, and thereafter transported into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "Mountainside Apples, Packed by Musselman Canning Co., Biglerville, Pa., Contain 6 Lbs."

Adulteration of the article was alleged in the libel for the reason that it consisted in particular [part] of a partially filthy, putrid, and decomposed vegetable product.

On November 10, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4610. Adulteration of canned apples. U. S. * * * v. 94 Cases * * * of Apples. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6941. S. No. E-436.)

On October 22, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 94 cases, each containing 2 dozen No. 3 cans, of apples, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped, on or about October 2, 1915, from the State of Texas into the State of Maryland, and thereafter transported to the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "Booth Oval Apples—Packed by Booth Packing Co., Baltimore, Md. U. S. A. 1 Lb. 6 Oz."

Adulteration of the article was alleged in the libel for the reason that it consisted particularly [in part] of a partially decomposed vegetable product.

On November 10, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, Acting Secretary of Agriculture.

4611. **Adulteration and misbranding of olive oil.** U. S. v. Frances Spadaro et al. (Spadaro & Co.). Plea of guilty. Fine, \$25. (F. & D. No. 6942. I. S. No. 1377-k.)

On February 28, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Frances Spadaro and Vincent C. Spadaro, copartners, trading under the firm name of Spadaro & Co., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on October 12, 1914, from the State of New York into the State of Pennsylvania, of a quantity of olive oil which was adulterated and misbranded. The article was labeled: (On front and back) (Representations of medals and olives) "Rinomati Oleifici Spadaro" (Representation of crown and bear and lion dancing) "Italia Prodotti Italiani Olio Extrafino Net contents 1½ lb. 6¼ oz." (On two sides) "The contents of this can is guaranteed blended oil by Spadaro & Co. limited, Under the Pure Food Law Act June 30, 1906—Serial No. 55301—"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Specific gravity, 15.6° C./15.6° C-----	0.9200
Index of refraction at 25° C-----	1.4707
Iodin number-----	98.54
Halphen test-----	Positive.
Sesame oil test-----	Negative.
Net weight (ounces)-----	26.80
	27.15
	27.35
Average net weight (ounces)-----	27.10
Shortage (per cent)-----	11.40
	10.25
	9.59
Average shortage (per cent)-----	10.42

Product was a mixture of cottonseed and olive oil and was short weight.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to reduce, or lower, and injuriously affect its quality and strength, and had been substituted, in whole or in part, for olive oil, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Prodotti Italiani Olio Extrafino," together with the design of olive branches borne on the label of the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it indicated that the article was genuine olive oil, and was such as to deceive and mislead the purchaser into the belief that it was genuine olive oil, whereas, in truth and in fact, it was not, but was a mixture consisting, in whole or in part, of cottonseed oil prepared in imitation of olive oil. Misbranding was alleged for the further reason that the article was an imitation of olive oil and was not labeled, branded, or tagged, so as plainly to indicate that it was an imitation, and the word "imitation" was not plainly stated on the package in which the article was offered for sale. Misbranding was alleged for the further reason that the statement, to wit, "Prodotti Italiani Olio Extrafino," together with the design of olive branches borne on the label of the article, indicated that it was a foreign product, to wit, an olive oil produced in the Kingdom of Italy, whereas, in truth and in fact, it was not, but was a product of domestic origin, to wit, a mixture consisting, in

whole or in part, of cottonseed oil, produced in the United States of America. Misbranding was alleged for the further reason that the statement, to wit, "Net contents $1\frac{1}{2}$ lb. $6\frac{1}{4}$ oz.," borne on the label, regarding the article, was false and misleading in that it indicated that the can contained $1\frac{1}{2}$ pounds, $6\frac{1}{4}$ ounces of the article, and was such as to deceive and mislead the purchaser into the belief that it contained $1\frac{1}{2}$ pounds, $6\frac{1}{4}$ ounces of said article, whereas, in truth and in fact, it did not contain $1\frac{1}{2}$ pounds, $6\frac{1}{4}$ ounces, but did contain a less amount. Misbranding was alleged for the further reason that the article was in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of said package.

On April 7, 1916, a plea of guilty was entered on behalf of the defendant firm, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4612. Adulteration of tomatoes. U. S. * * * v. 220 Cases and 35 Cases of Canned Tomatoes. Consent decree of condemnation and forfeiture. Portion of the product released on bond; balance destroyed. (F. & D. No. 6943. I. S. Nos. 3054-1, 3055-1, 3065-1. S. Nos. E-424, E-425.)

On October 22, 1915, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 35 cases and 220 cases of canned tomatoes, remaining unsold in the original unbroken packages at Canton, N. J., alleging that the 35 cases had been shipped on or about September 15, 1915, and the 220 cases on or about October 9, 1915, and transported from the State of New York into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act. Some of the 35 shipping cases were labeled: "Tomato swells." The cans in these cases were labeled: "Ormond Castle Brand Tomatoes. Contents 2 lbs. 1 oz. Standard Quality. Packed for James Butler, Inc. New York." Some of the 220 shipping cases were labeled: "Swells." The cans in these cases were labeled: "Trump Brand. Contents 2 lbs. 1 oz. Tomatoes. R. C. Williams and Co. Distributors, New York."

Adulteration of the article was alleged in the libels for the reason that it consisted, in whole or in part, of a filthy, decomposed, and putrid vegetable substance.

On November 19, 1915, Frank H. G. Schimp and Benjamin E. Harris, doing business under the firm name of Schimp & Harris, Canton, N. J., claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimants upon payment of the costs of the proceedings and the execution of bond in the sum of \$500, in conformity with section 10 of the act, conditioned, in part, that the tomatoes should be sorted and the portion unfit for human food destroyed, and the portion fit for human food examined by a representative of the Bureau of Chemistry and passed upon before the same should be permitted to go forward into commerce.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4613. Adulteration of tomato pulp. U. S. * * * v. 1,000 Packages of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6949. I. S. No. 10778-1. S. No. C-365.)

On October 25, 1915, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,000 cans and packages, each containing 5 gallons, of tomato pulp, remaining unsold in the original unbroken packages at Cincinnati, Ohio, alleging that the article had been shipped and transported from the State of Indiana into the State of Ohio, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it contained, and in part consisted of, a decomposed vegetable substance.

On January 3, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4614. Adulteration of grapefruit. U. S. * * * v. 313 Boxes * * * of Grapefruit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6952. I. S. Nos. 2342-1, 10856-1. S. No. C-359.)

On October 25, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 313 boxes, more or less, of grapefruit, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on October 14, 1915, and transported from the State of Florida into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it was colored in a manner whereby damage or inferiority was concealed, for the further reason that it was coated in a manner whereby damage or inferiority was concealed, and for the further reason that it was stained in a manner whereby damage or inferiority was concealed.

On January 14, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4615. Adulteration of chestnuts. U. S. * * * v. 23 Bags of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6953. I. S. No. 1925-1. S. No. E-438.)

On October 25, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 23 bags of chestnuts, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped and transported from the State of Virginia into the State of New York, the shipment arriving on or about October 22, 1915, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in particular [part] of a partially filthy, decomposed, and putrid vegetable substance, to wit, wormy and moldy chestnuts.

On November 16, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4616. Misbranding of "Mexican Oil." U. S. * * * v. Hausman Drug Co., a corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 6954. I. S. No. 9312-h.)

On May 15, 1916, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Hausman Drug Co., a corporation, Trinidad, Colo., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about March 13, 1914, from the State of Colorado into the State of Texas, of a quantity of "Mexican Oil," which was misbranded. The article was labeled: (On bottle) "Trade Mark" (Representation of swastika) "Mexican Oil. Brand. Contains 70% Alcohol and 1 3/4 gr. of Opium to each fluid ounce. Guaranteed under the Food and Drugs Act, June 30, 1906, by The Hausman Drug Co. Serial No. 4246. The dose of Mexican Oil is from one-half to one teaspoonful in a wineglassful of sweetened water, warm or cold (warm preferred). For children, 12 to 15 years of age, 15 to 20 drops; 10 years old, 10 drops; 5 years old, 3 to 5 drops every half hour until pain is relieved. Applied externally. Bathe frequently the affected parts and rub briskly with Mexican Oil. Manufactured by The Hausman Drug Company, Trinidad,—Colorado." (On carton, front) "Mexican Oil Brand Contains 70% Alcohol and 13-4 Grs. Opium to each fluid ounce. Guaranteed under the Food and Drugs Act, June 30, 1906, by Hausman Drug Co. Serial No. 4246. For Internal and External Use. Taken internally: Diarrhoea, Dysentery, Summer Complaint, Cholera Morbus, Cholera Infantum, Croup, Colds, Colic, Cramps and Pain in the Stomach. Applied externally: Sprains, Bruises, Chilblains, Rheumatism, Cuts, Neuralgia, Backache, Sore Throat, Bites and Stings of Venomous Insects. An Excellent Remedy for Aches and Pains. Price 25c. Manufactured by The Hausman Drug Co. Trinidad, Colo." (On sides) "Aceite Mexicano Marca Para los dolores internos y externos." (On top flap) "Trade Mark" (Representation of swastika) "Registered in U. S. Patent Office." (On bottom flap) "Precio 25c." (On Back: Statements in Spanish.) The circular or pamphlet accompanying the article contained, among other things, the following: "Keep a bottle of this valuable remedy in the house at all times as when needed it is needed badly. Don't wait until you are sick. Get it now and be prepared for sickness and accident to yourself, your family and your friends. We do not claim to be infallible, or to cure everything, but we do believe that Mexican Oil comes nearer to accomplishing this than any other known remedy. For use both externally and internally. Used externally for Frost Bites, Chilblains, Sprains, Bruises, Toothache, Headache, Neuralgia, Pains in the Side, Back and Loins, (Lumbago), Sciatica, Rheumatism, Gout, Rheumatic Pains, Stings of insects, Scorpions, Bites of insects. Used internally for Colds, Coughs, Bronchitis, Croup, Fever and Ague, Dyspepsia, Acid Stomach, Heartburn, Indigestion, Rheumatism, Neuralgia, Gout, Canker in the Mouth or Throat, Sick Headache, Sea Sickness, Lumbago, Cramp, and Pain in the Stomach, Colic, Diarrhoea, Dysentery, Infantum and contusions."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product was a solution of alcohol (57.95 per cent by volume) and aromatic essential oils, containing glycerin, capsicum, emodin, menthol, and a small amount of opium alkaloids.

Misbranding of the article was alleged in the information for the reason that the following statements, designs, and devices regarding the therapeutic or curative effects thereof, appearing on the label of the carton aforesaid,

to wit, "Mexican Oil * * * For Internal and External Use. Taken internally: Diarrhœa, Dysentery, Summer Complaint, Cholera Morbus, Cholera Infantum, Croup * * *," and included in the circular or pamphlet aforesaid, to wit, "Keep a bottle of this valuable remedy in the house at all times as when needed it is needed badly. * * * We do not claim to be infallible, or to cure everything, but we do believe that Mexican Oil comes nearer to accomplishing this than any other known remedy. For use both externally and internally. Used Externally for * * * Sciatica, Rheumatism, Gout * * * Used Internally for * * * Bronchitis, * * * Fever and Ague, Dyspepsia * * * Indigestion, Rheumatism * * * Gout, Canker in the Mouth or Throat * * *," were false and fraudulent in that they were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, wholly or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for diarrhea, dysentery, summer complaint, cholera morbus, cholera infantum, croup, sciatica, rheumatism, gout, bronchitis, fever and ague, dyspepsia, indigestion, and canker in the mouth or throat, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients of medicinal agents.

On May 19, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4617. Misbranding of "Humphrey's Curative Marvel." U. S. * * * v. 43 Cases "Humphrey's Curative Marvel." Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6955. I. S. No. 3329-1. S. No. E-418.)

On or about October 24, 1915, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 48 cases, 18 of which contained 4 dozen bottles, and the remaining 30 of which contained 2 dozen bottles each, of "Humphrey's Curative Marvel," remaining unsold in the original unbroken packages in the possession of Gonzalez Padin Co. (Inc.), a corporation of San Juan, Porto Rico, alleging that the article had been shipped, on or about October 2, 1915, and transported from the State of New York into the Island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in Spanish, of which the following is a correct translation: (Front label of carton) "Curative Marvel of Humphrey's Hydrolate of Hamamelis Virginica. 15% Alcohol by volume." (Back label of carton) "Useful in the domestic circle—in the stable—in factories—in shops—in ships—has no rival. Only infallible remedy for piles. As an article of the toilet, for shaving, for the bath, for excoriations and roughness of the face and hands, has no equal." (Left side label) "Cures piles, internal or external, simple or bloody—nasal hemorrhages, and those of the gums—pulmonary hemorrhages—spitting of blood—vomiting of blood—catarrh—leucorrhea—kidney trouble—calculi and strangury—callous excrescences at the roots of the nails—ulcers, tumors—sores—bites of mosquitos and insects—corns—chilblains—bruised feet." (Right side label) "Cures all lesions—falls—blows—bruises—contusions—twists—wounds—lacerations—burns or scalds—sunburns—red spots—excoriations—abscesses—swellings—pains in the back teeth—pains in the face—neuralgia—rheumatic pains—numbness—sore throat or quinsy—flayed nipples—inflammation of the chests—internal ulcerations—varicose veins." (Label on bottle) "Humphrey's Curative Marvel—for lesions, wounds, contusions, burns, scalds, piles, hemorrhages, toothache and pain in the face, neuralgia, rheumatism, ulcers, abscesses, tumors, inflammation of the chests, breasts, diseases of the throat, varices, insect bites, sunburn. Exact Directions. For wounds contusions, lesions. For burns—for piles—for rheumatic swellings, pain or rigidity—for toothache or neuralgia—for internal hemorrhages—for sore throat or quinsy—for inflammation of the chest—for peeling of the nipples—for sunburns, mosquito bites, corns, painful feet, for hoarseness, colds or sore throat." The circular accompanying the article contained (in Spanish) among other things the following (translated into English): "The Curative Marvel is an efficient remedy for lesions or wounds, both for persons and for animals, especially for blows, contusions, sprains, lacerations, cuts, scalds, burns. For these ills and for those which result from them the Curative Marvel works quickly, reanimating the dejected vital action, restoring the local and general circulation, alleviating the pains, dissipating the congestions and holding in and impeding the inflammations. In an infinite number of cases its prompt and opportune application has checked hemorrhagia or flowing of blood, has alleviated the pains, has dissipated the congestions, reduced the inflammation and promoted the cure of lesions and dangerous wounds, for which reason it has been given its name of Curative Marvel." "For fluxes or hemorrhages this remedy is the best styptic remedy, or one restraining the blood, which is known. Its unquestionable power to hold back all hemorrhages is truly marvellous. It calms the force of the circulation and increases the coagulability of the blood, thus it is that its effect is surprising,

whether it is applied interiorly or exteriorly, in all cases in which there is flowing or hemorrhage, whether it comes from wounds or lacerations or from any internal organ of the body or from piles. For nose-bleed * * * Vomiting of blood, hemorrhages of the stomach or intestines: For vomiting of blood there is taken a spoonful of the Marvel each half hour until relieved. For black or bloody evacuations there will be taken a spoonful 4 times a day. For bloody urine there will be taken a spoonful 4 times a day. For flux or hemorrhage of the uterus there will be given a half spoonful, repeating each half hour, if the case is grave. If the menstruation continues for a longer time than ordinarily, or if it be very abundant, take a spoonful 3 times a day." "Millions of cases of piles keeping the patient from his occupation during several years have been bettered permanently with this remedy. Directions: There will simply be taken a spoonful 3 times a day. If they are external they will be washed with the Marvel morning and night or they will be anointed with the Marvelous Ointment. If they are external [internal] there will be injected the Marvel or the Ointment. They will be alleviated promptly and the cure will be certain." "Catarrh: It is one of the best remedies for catarrh. In chronic and obstinate cases using it as an injection in the nostrils has no equal. It can be diluted in equal quantity with water and injected with a nasal syringe or snuffed up, placing a little in the palm of the hand, 2, 3, up to 4 times a day. Wash the secretion and the ulceration, and at times the bad odor will disappear instantly. In all cases of catarrh it may be absorbed through the nostrils or injected." "Ulcerations and leucorrhœa or white flowers: require the same treatment, except the injection, which is the only thing necessary, which consists of 1 part of the Marvel with 3 parts of water, and it is used only 1 or 2 times a day. It is a sovereign remedy. Painful periods of menstruation, with frequency are alleviated like a spell by taking a tablespoonful each hour or two."

Misbranding of the article was alleged in the libel for the reason that the statements contained on the carton and labels of the bottles and in the circular aforesaid, as set out above, were false, fraudulent, and misleading, a chemical analysis of the article showing that it did not contain any ingredients or combination of ingredients capable of producing the claims and therapeutic effect set out upon the carton or in the labels upon the bottles or in the circular, and said article was mislabeled and misbranded as aforesaid so as to deceive and mislead the purchaser or purchasers thereof in that the bottles, containers, and labels of the article contained statements regarding it and the ingredients and substances contained therein which were false, fraudulent, and misleading; that is to say, that said labels on the bottles and cartons and the circulars were so worded as to lead the public to believe that the article was a useful and good medicine and would cure the various ills, diseases, and complaints as set out in the said circulars, receivers, and cartons, whereas, in fact, it was not of a medicinal nature such as would produce any such result and was utterly worthless for that purpose.

On February 14, 1916, the said Gonzalez Padin Co. (Inc.), claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$205, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4618. Misbranding of cottonseed salad oil, and adulteration and misbranding of scioppo tamarindo. U. S. v. Harry Fried (L. Fried & Sons; Metropolitan Importing Co.; and Lange Bros.). Plea of guilty. Fine, \$50. (F. & D. No. 6956. I. S. Nos. 6788-h, 9539-h, 6540-h, 9641-h, 9542-h, 17961-h.)

On March 6, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Harry Fried, trading variously as L. Fried & Sons, Metropolitan Importing Co., and Lange Bros., New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on November 3, 1913, January 3, 1914, March 24, 1914, and April 1, 1914, from the State of New York into the State of Pennsylvania, of quantities of cottonseed salad oil, which article was misbranded, and on April 25, 1914, from the State of New York into the State of Pennsylvania, of a quantity of scioppo tamarindo, which was adulterated and misbranded. Part of the oil shipped November 3, 1913, was labeled: (On retail package) "Marca" (design of star and crescent) "Registrata Net Contents 1 Gall. Olio Sopraffino Di Cotone Marca Luna Crescente Brand Finissima Extra Quality Genuine Cotton seed Salad Oil." (Balance of can was covered with stars and crescents.) (Case was stenciled, in part) "Luna Brand 12 Tins * * *."

Analysis of a sample of this article by the Bureau of Chemistry of this department showed that it gave a Halphen test equal in intensity to that given by pure cottonseed oil. The contents of two tins measured as follows:

No. 1, contents, 0.856 gallon; shortage, 14.4 per cent.

No. 2, contents, 0.861 gallon; shortage, 13.9 per cent.

Average shortage, 14.1 per cent.

The remainder of the oil shipped on November 3, 1913, was labeled: (On retail package) "Marca" (design of crescent and star) "Registrata Net Contents ½ Gall. Olio Sopraffino Di Cotone Marca Luna Crescente Brand Finissimo Extra Quality Genuine Cottonseed Salad Oil." (Balance of can was covered with stars and crescents.) (Case was stenciled, in part) "Luna Brand 24 tins * * *."

Analysis of a sample of this article by said Bureau of Chemistry showed that it gave a Halphen test equal in intensity to that given by pure cottonseed oil. The contents of three tins measured as follows:

No. 1, contents, 0.444 gallon; shortage, 11.2 per cent.

No. 2, contents, 0.424 gallon; shortage, 15.2 per cent.

No. 3, contents, 0.443 gallon; shortage, 11.4 per cent.

Average shortage, 12.6 per cent.

The oil shipped January 3, 1914, was labeled: (On retail can) "Marca" (star and crescent) "Registrata Net Contents 1 Gall. Olio Sopraffino Di Cotone. Marca Luna Crescente Brand Finissimo—Extra Quality. Genuine Cottonseed Salad Oil." (Balance of can was covered with stars and crescents.)

Analysis of a sample of this article by said Bureau of Chemistry showed:

Specific gravity, 15.5° C./15.5° C_____	0.9230
Index of refraction at 15.5° C_____	1.4734
Melting point of fatty acids (°C)_____	36.0
Iodin number _____	110
Free fatty acids as oleic (per cent)_____	0.05
Halphen test with 1 per cent olive oil_____	Positive

The contents of two tins measured as follows:

No. 1, contents, 0.835 gallon; shortage, 16.5 per cent.

No. 2, contents, 0.806 gallon; shortage, 19.4 per cent.

Average shortage, 18.0 per cent.

The oil shipped March 24, 1914, was labeled: (On retail package) "Olio Di Cotone—Sopraffino Per Insalata Vincitore Brand Cotton Salad Oil Extra Quality." (Back of can) (Monogram) "L. C. S. Net Contents $\frac{1}{4}$ Gal." (Case was stenciled, in part) "48 cans Vincitore Salad Oil * * *."

The analysis of a sample of this article by said Bureau of Chemistry showed that it gave a Halphen test equal in intensity to that given by pure cottonseed oil. The contents of six tins measured as follows:

No. 1, contents, 0.210 gallon; shortage, 16.0 per cent.

No. 2, contents, 0.210 gallon; shortage, 16.0 per cent.

No. 3, contents, 0.209 gallon; shortage, 16.4 per cent.

No. 4, contents, 0.214 gallon; shortage, 14.4 per cent.

No. 5, contents, 0.210 gallon; shortage, 16.0 per cent.

No. 6, contents, 0.215 gallon; shortage, 14.0 per cent.

Average shortage, 15.6 per cent.

The oil shipped April 1, 1914, was labeled: (On retail package) "Olio Di Cotone—Sopraffino Per Insalata Vincitore Brand—Cotton Salad Oil Extra Quality." (Back of can) (Monogram) "L. C. S. Net Contents 1 Gallon." (Case was stenciled, in part) "12 cans Vincitore Salad Oil * * *."

Analysis of a sample of this article by said Bureau of Chemistry showed that it gave a Halphen test equal in intensity to that given by pure cottonseed oil. The contents of four tins measured as follows:

No. 1, contents, 0.847 gallon; shortage, 15.3 per cent.

No. 2, contents, 0.869 gallon; shortage, 13.1 per cent.

No. 3, contents, 0.878 gallon; shortage, 12.2 per cent.

No. 4, contents, 0.870 gallon; shortage, 13.0 per cent.

Average shortage, 13.4 per cent.

Misbranding of all the oil was alleged in the information for the reason that the statement, to wit, "Net contents 1 gall." (or " $\frac{1}{2}$ gall." or " $\frac{1}{4}$ gall.," as the case might be), regarding the article, was false and misleading in that it indicated that each of the cans contained 1 gallon net (or one-half or one-fourth gallon) of the article, [and] was such as to deceive and mislead the purchaser into the belief that each of the cans contained 1 gallon net (or one-half or one-fourth gallon) of the article, whereas, in truth and in fact, each of the cans did not, but contained a less amount.

The sciroppo tamarindo was labeled: (On retail package) "Sciroppo Tamarindo" (picture of pods). (On shipping package) "Sciroppo Tamarindo Lange Bros. New York."

Analysis of a sample of this article by said Bureau of Chemistry showed the following results:

Solids by refractometer (per cent)-----	62.5
Nonsugar solids (per cent)-----	2.26
Sucrose, Clerget (per cent)-----	46.9
Reducing sugars as invert. before inversion (per cent)---	13.34
Commercial glucose -----	None.
Ash (per cent)-----	0.06
Alkalinity of soluble ash (cc N/10 acid per 100 grams)---	12.8
Phosphoric acid (P_2O_5) (per cent)-----	0.005
Tartaric acid -----	None.

Total acids as citric (per cent)-----	1.44
Citric acid-----	Present.
Color ($\frac{1}{2}$ -in. cell, brewer's scale)-----	120
Colored with caramel.	

Product consisted essentially of a sugar sirup flavored with citric acid and colored with caramel.

Adulteration of this article was alleged in the information for the reason that a solution, sweetened, colored, and flavored in imitation of tamarind sirup, had been mixed and packed therewith, so as to lower, or reduce, and injuriously affect its quality and strength, and had been substituted, in whole or in part, for scioppo tamarindo, which the article purported to be.

Misbranding was alleged for the reason that the statement borne on the label of the article, to wit, "Scioppo Tamarindo," regarding the article and the ingredients and substances contained therein, was false and misleading in that it indicated that the article was genuine tamarind sirup, and was such as to deceive and mislead the purchaser into the belief that it was genuine tamarind sirup, whereas, in truth and in fact, it was not genuine tamarind sirup, but was a solution, sweetened, colored, and flavored in imitation of tamarind sirup.

On March 9, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4619. Adulteration of chestnuts. U. S. * * * v. 16 Bags of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6958. I. S. No. 3511-I. S. No. E-441.)

On October 28, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 16 bags of chestnuts, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped and transported from the State of Virginia into the State of New York, the shipment having been received on or about October 26, 1915, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in particular [part] of a partially filthy, decomposed, and putrid product, to wit, wormy chestnuts.

On November 16, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, Acting Secretary of Agriculture.

4620. Adulteration of chestnuts. U. S. * * * v. 4 Bags * * * of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6959. I. S. No. 3512-1. S. No. E-442.)

On October 28, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 bags, each containing about 100 pounds, of chestnuts, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped and transported from the State of Virginia into the State of New York, the shipment having been received on or about October 26, 1915, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance, to wit, wormy chestnuts.

On November 16, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4621. Adulteration of chestnuts. U. S. * * * v. 34 Bags of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6960. I. S. No. 1926-1. S. No. E-443.)

On October 28, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 34 bags of chestnuts, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped and transported from the State of Virginia into the State of New York, the shipment having been received on or about October 23, 1915, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in particular, [part] of a filthy, decomposed, and putrid vegetable substance, to wit, wormy chestnuts.

On November 16, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4622. Adulteration of tomato pulp. U. S. * * * v. 9 Cases of * * * Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6962. I. S. No. 10106-1. S. No. C-367.)

On October 27, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 cases, each containing 60 cans, of tomato pulp, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on September 24, 1915, and transported from the State of New York into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that when it was so shipped as aforesaid it consisted in part of a filthy vegetable substance, for the further reason that it consisted in part of a decomposed vegetable substance, and for the further reason that it consisted in part of a putrid vegetable substance.

On January 14, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4623. Adulteration of grapefruit. U. S. * * * v. 125 Packages * * * of Grapefruit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6963. I. S. Nos. 1317-1, 10784-1, 10785-1, 10786-1. S. No. C-368.)

On October 29, 1915, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 125 crates, each containing $1\frac{3}{5}$ bushels, more or less, of grapefruit, remaining unsold in the original unbroken packages at Cincinnati, Ohio, alleging that the article had been shipped and transported from the State of Florida into the State of Ohio, and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "Dade County Fruit Naranja Is The Best J. R. Hickson Packing Company Naranja, Fla. Net Contents $1\frac{3}{5}$ -Bu."

Adulteration of the article was alleged in the libel for the reason that it was colored in a manner whereby inferiority was concealed.

On January 10, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4624. Adulteration and misbranding of aspirin. U. S. * * * v. 48 Bottles * * *, 120 Bottles * * *, and 105 Bottles * * * of Aspirin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6964. I. S. Nos. 11249-1, 11250-1, 11251-1, 11252-1. S. No. C-369.)

On October 30, 1915, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 48 bottles, each containing 1,000 five-grain tablets; 120 bottles, each containing 500 five-grain tablets; and 105 bottles, each containing 100 five-grain tablets, of an article purporting to be aspirin, remaining unsold in the original unbroken packages at Cleveland, Ohio, alleging that the 48 bottles had been shipped on September 23 and 30, 1915, the 120 bottles on March 27, April 7 and 27, and May 1 and 26, 1915, and the 105 bottles on or about April 27 and 29 and May 27, 1915, and transported from the State of Maryland into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drug Acts.

The 48 bottles were labeled. "R Burrough 1000 Compressed Tablets Aspirin 5 Gr. Burrough Bros. Mfg. Co. Baltimore, Md." The 120 bottles were labeled: "500 Compressed Tablets Aspirin 5 Gr. Guaranteed by Burrough Bros. Mfg. Co. under the Food & Drugs Act, June 30, 1906. No. 2085 Burrough Bros. Mfg. Co. Chemists Baltimore, Md." The 105 bottles were labeled: "R Burrough 100 Compressed Tablets Aspirin 5 Grains Burrough Bros. Mfg. Co. Baltimore, Md."

Adulteration of the article was alleged in the libel for the reason that it was a mixture of acetanilid, salicylic acid, sugar, starch, and inorganic salts, with little or no aspirin or acetylsalicylic acid present.

Misbranding was alleged for the reason that the article was sold under the distinctive name of another article, and for the further reason that the presence of acetanilid was not declared.

On March 16, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4625. Adulteration of tomato purée. U. S. * * * v. 200 Cases of Tomato Purée. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6969. I. S. No. 2615-l. S. No. E-440.)

On October 29, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 200 cases of tomato purée, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped and transported from the State of New Jersey into the State of New York, the shipment having been received on or about October 11, 1915, and charging adulteration in violation of the Food and Drugs Act. The cans in the cases were labeled: "Morris Best Tomato Purée made from tomatoes and tomato trimmings. Contents 6 lbs. 6 ozs. Packed by Morris Canning Co. Inc., Main Office: Lambertville, N. J. Factories: Lambertville, N. J., Allentown, N. J., Hatfield, Pa., Perkasio, Pa."

Adulteration of the article was alleged in the libel for the reason that it consisted in particular [part] of a partially decomposed vegetable product, to wit, decayed and moldy tomato pulp and trimmings.

On November 30, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4626. Adulteration of ketchup. U. S. * * * v. 21 Cases and 3 Barrels of Ketchup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6971. I. S. Nos. 20101-1, 20102-1. S. No. W-70.)

On October 29, 1915, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 21 cases and 3 barrels of ketchup, remaining unsold in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped, on or about October 26, 1915, and transported from the State of California into the State of Washington, and charging adulteration in violation of the Food and Drugs Act. The cases were labeled: "12 5 lbs. Catsup from Tomato Trimmings." The barrels were labeled: "Lewis Packing Co. Favorite Brand Catsup San Francisco Tomatoes Sugar Starch Salt Spices Vinegar."

The allegations in the libel were to the effect that the article was adulterated in that it consisted, in whole or in part, of a filthy, decomposed, and putrid vegetable substance.

On November 26, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

1627. Adulteration of beans. U. S. * * * v. 250 Bags * * * of Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6974. I. S. No. 11527-1. S. No. C-370.)

On November 2, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 250 bags, each containing 165 pounds, more or less, of beans, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on April 23, 1915, by Post Bros., Hammond, Ind., and transported from the State of Indiana into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that when it was shipped as aforesaid it consisted in part of a filthy vegetable substance, for the further reason that it consisted in part of a decomposed vegetable substance, and for the further reason that it consisted in part of a putrid vegetable substance.

On November 30, 1915, the said Post Bros., claimants, having admitted the allegations of the libel, and the court having heard the arguments of counsel and being fully informed in the premises, judgment of condemnation and forfeiture was entered, and it appearing to the court that the article might be ground up and used for animal food, it was ordered by the court that the product should be surrendered and delivered to said claimants upon payment of the costs of the proceedings and executing a bond in the sum of \$1,000, in conformity with section 10 of the act, one of the conditions being that the claimant should cause the beans to be ground up for use as animal food under the supervision of the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4628. Adulteration of compound ketchup. U. S. * * * v. 15 Barrels of Compound Ketchup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6978. I. S. No. 3509-L. S. No. E-447.)

On November 4, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 barrels of compound ketchup, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped and transported from the State of New Jersey into the State of New York, the shipment having been received on or about October 15, 1915, and charging adulteration in violation of the Food and Drugs Act. The article was branded, in part: "Compound Catsup contains Tomato Pulp, Spices, Flour, Sugar, Vinegar, Preserved with about 1/5 of 1% Benzoate of Soda. Artificially colored. Manufactured by R. C. Chances Sons Mt. Holly, N. J."

Adulteration of the article was alleged in the libel for the reason that it consisted in particular, [part] of a partially decomposed, filthy, and putrid vegetable product, to wit, moldy tomatoes.

On November 24, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4629. Adulteration of grapefruit. U. S. * * * v. 256 Boxes * * * of Grapefruit. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6979. I. S. No. 10792-1. S. No. C-372.)

On November 4, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 256 boxes, more or less, of grapefruit, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on October 26, 1915, and transported from the State of Florida into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it was colored in a manner whereby damage or inferiority was concealed, for the further reason that it was coated in a manner whereby damage or inferiority was concealed, and for the further reason that it was stained in a manner whereby damage or inferiority was concealed.

On December 15, 1915, John Denney, doing business as Denney & Co., having filed his claim admitting the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it appearing to the court that the article might be relabeled and sold again not in violation of the Food and Drugs Act, it was ordered that the United States marshal should cause the tissue-paper wrapper bearing the trade-mark "Florida Grapefruit, Osprey Brand Quality, Grade & Pack, Lambert & Crews, Packers Shippers" to be removed from each of the grapefruit and should cause a quantity of wrappers to be prepared bearing the following statement, "Colored by sweating," in printed letters not less than three-fourths of an inch in height and one-half inch in width, and should place one of such wrappers around each of the grapefruit instead of the wrapper bearing the trade-mark aforesaid, and should cause to be placed upon the outside of each of the boxes a printed label bearing the words "Colored by Sweating," each of the letters composing the label to be not less than one and one-half inches in height and three-fourths inch in width, and it was further ordered that upon the United States marshal complying with the terms of the decree as aforesaid and upon said claimant paying all the costs of the proceedings and the execution of bond in the sum of \$1,000, in conformity with section 10 of the act, the United States marshal should surrender and deliver the product to said claimant.

C. F. MARVIN, Acting Secretary of Agriculture.

4630. Adulteration of tomato conserve. U. S. * * * v. 19 Cases Tomato Conserve. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6982. I. S. No. 1465-1. S. No. E-454.)

On November 5, 1915, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 19 cases of tomato conserve, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped and transported from the State of Pennsylvania into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel of information for the reason that the same consisted in part of a filthy, putrid, and decomposed vegetable substance.

On December 3, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4631. Adulteration of condensed milk. U. S. * * * v. S Cases of Condensed Milk. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6987. I. S. No. 3513-1. S. No. E-458.)

On November 8, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 cases of condensed milk, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped, on or about October 26, 1915, and transported from the State of New Jersey into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that the cases contained cans of condensed milk which were swells, and the contents of which were in a decomposed condition, contrary to the provisions of section 7, subdivision 6, under food of the Food and Drugs Act.

On November 30, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4632. Misbranding of brandy. U. S. * * * v. Fialla & Eppler, a corporation. Plea of guilty. Fine, \$10. (F. & D. No. 6988. I. S. No. 1495-k.)

On March 6, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Fialla & Eppler, a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on October 27, 1914, from the State of New York into the State of New Jersey, of a quantity of brandy which was misbranded. The article was labeled: (Main label) "Edouard Riviere Brand. Brandy. This Brandy is made in California from carefully selected grapes and bottled under our own supervision. Guaranteed by Fialla & Eppler, New York, under the Pure Food and Drugs Act, June 30, 1906. Serial Number 17231." (Representation of grapes and vines.) (By rubber stamp) "Contents 1 Pint." (Neck label) (Crescent with three gold stars) "Edouard Riviere Brand." (Streamer running from neck label to main label bearing initials "ER.") (On cap) "Brandy."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Contents of three bottles: (1) 12.34 fluid ounces, (2) 12.45 fluid ounces, (3) 12.17 fluid ounces. None of the three bottles examined contained 1 pint but contained, respectively, 77.13, 77.81, and 76.06 per cent of a pint, an average shortage of 23 per cent.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Contents 1 pint," borne on the label attached to the bottle, regarding the article, was false and misleading in that it indicated that the bottle contained not less than 1 pint, and was such as to deceive and mislead the purchaser into the belief that the bottle contained not less than 1 pint, whereas, in truth and in fact, it did not contain 1 pint but contained a less amount. Misbranding was alleged for the further reason that the article was in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 10, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$10.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4633. Adulteration of tomato pulp. U. S. * * * v. 50 Cases and 50 Cases * * * of Tomato Pulp. Default decrees of condemnation and forfeiture. Product ordered sold under bond. (F. & D. No. 6991. I. S. Nos. 1873-1, 11125-1. S. No. C-373.)

On November 15, 1915, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 50 and 50 cases of tomato pulp, remaining unsold in the original unbroken packages at Houston and Galveston, Tex., respectively, alleging that the article had been shipped, on or about September 24, 1915, and transported from the State of Maryland into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The cans in the cases were labeled: "Seaside Brand Tomato Pulp Made from Tomatoes and Pieces of Tomatoes Packed by W. H. Roberts & Co., Baltimore, Md. Contents 10 oz."

The allegations in the libels were to the effect that the article was adulterated by being decomposed and putrid.

On December 22, 1915, and January 11, 1916, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it appearing to the court that the article was not unfit or in any way deleterious as food for hogs, it was ordered by the court that the same should be sold by the United States marshal, and that the purchaser thereof should give a good and sufficient bond in the aggregate sum of \$200, in conformity with section 10 of the act, conditioned that the tomato pulp should not be sold or otherwise disposed of contrary to the provisions of the Food and Drugs Act or to the laws of the State of Texas.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4634. Adulteration of shucked oysters. U. S. * * * v. 4 Cans of Shucked Oysters. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6996. I. S. No. 2537-1. S. No. C-376.)

On November 15, 1915, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of four cans of shucked oysters, remaining unsold in the original unbroken packages at Houston, Tex., alleging that the article had been shipped, on or about November 6, 1915, and transported from the State of Connecticut into the State of Texas, and charging adulteration in violation of the Food and Drugs Act.

The allegations in the libel were to the effect that the article was adulterated in that it consisted, in whole or in part, of a filthy, putrid, and decomposed animal substance.

On December 22, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, Acting Secretary of Agriculture.

4635. Misbranding of "Persil." U. S. * * * v. Arrow Distilleries Co., a corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 6998. I. S. No. 960-k.)

On March 23, 1916, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Arrow Distilleries Co., a corporation, Peoria, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about November 11, 1914, from the State of Illinois into the State of Massachusetts, of a quantity of "Persil," which was misbranded. The article was labeled: (On cap) "Persil." (Neck label) "Fama Best on Earth Volat." (Main label) "Victoria Brand Persil Asparagus, Celery, Buchu, Juniper and finest distilled Gin Prepared only for Thompson & Co. Boston, Mass. by Arrow Distilleries Co., Peoria, Ill. U. S. A. Beware of Imitation Persil Alcohol By Volume 40% New label adopted January 1st 1912. Contents One Quart. Victoria Brand Persil Has no equal for the purpose for which it should be used. It is composed of the finest medicinal vegetable ingredients. Recommended by the foremost authorities in cases of bladder and kidney trouble. It contains just enough spirits to keep the ingredients in solution, and possesses the natural color from these ingredients, such as Asparagus, Parsley, Celery, Buchu and Juniper Berries. Beware of Imitations. Arrow Distilleries Co. Distillers Peoria, Ill." (On back of bottle) "The Medicinal Value of the Ingredients used in the Preparation of Persil, according to two eminent authorities on Pharmacy and Materia Medica: Prof. Joseph P. Remington, of Philadelphia, and Prof. Hager, of Berlin, Germany. Buchu: Dr. Remington states that 'Buchu' is an excellent diuretic or kidney exhilarant and stimulant. Asparagus: Dr. Hager states that 'Asparagus' is a powerful diuretic and exceptionally valuable as a Uric Acid Solvent. Parsley: Dr. Remington states that 'Parsley' is efficient in increasing the flow of Urine. Juniper Berries: Dr. Hager states and dwells at length on the wonderful service 'Juniper Berries' have given in the treatment of kidney complaints. It is indispensable as a diuretic and general stimulating properties. Celery Seed: This useful ingredient is very good as a nerve sedative or to quiet the nerves."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product consisted essentially of alcohol (39.47 per cent by volume), and did not contain appreciable quantities of celery, buchu, juniper, asparagus, or parsley.

Misbranding of the article was alleged in the information for the reason that the following statements regarding it and the ingredients and substances contained therein, appearing on the labels aforesaid, to wit, (Main label) "* * * * Persil Asparagus, Celery, Buchu, Juniper and finest distilled Gin * * *," (On back of bottle) "The medicinal Value of the Ingredients used in the Preparation of Persil, according to two eminent authorities on Pharmacy and Materia Medica: Prof. Joseph P. Remington, of Philadelphia, and Prof. Hager, of Berlin, Germany. Buchu: Dr. Remington states that 'Buchu' is an excellent diuretic or kidney exhilarant and stimulant. Asparagus: Dr. Hager states that 'Asparagus' is a powerful diuretic and exceptionally valuable as a Uric Acid Solvent. Parsley: Dr. Remington states that 'Parsley' is efficient in increasing the flow of Urine. Juniper Berries: Dr. Hager states and dwells at length on the wonderful service 'Juniper Berries' have given in the treatment of kidney complaints. It is indispensable as a diuretic and general stimulating properties. Celery Seed: This useful ingredient is very good as a nerve sedative or to quiet the nerves," were false and misleading in that they

indicated to purchasers thereof that the article contained appreciable and significant amounts of buchu, asparagus, parsley, juniper berries, and celery seed, when, in truth and in fact, it did not. Misbranding was alleged for the further reason that the following statements regarding the therapeutic or curative effects of the article, appearing on the label aforesaid, to wit, (Main label) “* * * Persil Has no equal for the purpose for which it should be used. It is composed of the finest medicinal vegetable ingredients. Recommended by the foremost authorities in cases of bladder and kidney trouble * * *,” were false and fraudulent in that the same were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for bladder and kidney troubles, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents, but did contain ingredients which might render the article harmful when used in the treatment of diseases of the kidneys or bladder due to, or accompanied by, inflammation.

On April 18, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4636. Adulteration of chestnuts. U. S. * * * v. 21 Bags of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6999. I. S. No. 1230-1. S. No. E-449.)

On October 28, 1915, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 21 bags of chestnuts, remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped, on or about October 27, 1915, and transported from the State of Virginia into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled, in part: "From J. P. Hattie, Tyro, Va."

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a filthy, putrid, and decomposed vegetable substance, to wit, said chestnuts contained worms, were worm-eaten and moldy.

On November 22, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4637. Adulteration of chestnuts. U. S. * * * v. 11 Bags of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7000. I. S. No. 1231-I. S. No. E-450.)

On October 28, 1915, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11 bags of chestnuts, remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped, on or about October 25, 1915, and transported from the State of Virginia into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled, in part: "From M. of D. Mer. Co., Stuart, Va."

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a filthy, putrid, and decomposed vegetable substance, to wit, said chestnuts contained worms, were worm-eaten and moldy.

On November 22, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4638. Adulteration of chestnuts. U. S. v. * * * 8 Bags of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7001. I. S. No. 1232-1. S. No. E-451.)

On October 28, 1915, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 bags of chestnuts, remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped, on or about October 27, 1915, and transported from the State of Maryland into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a filthy, putrid, and decomposed vegetable substance, to wit, said chestnuts contained worms, were worm-eaten and moldy.

On November 22, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4639. **Adulteration of chestnuts. U. S. * * * v. 15 Bags of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7002. I. S. No. 1233-L. S. No. E-452.)**

On October 29, 1915, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 bags of chestnuts, remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped, on or about October 28, 1915, and transported from the State of Virginia into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled, in part: "From W. L. Utz & Co., Graves Mill, Va., shipping point, Somerset, Va."

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a filthy, putrid, and decomposed vegetable substance in that the chestnuts were wormy, worm-eaten and moldy.

On November 22, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4640. Adulteration of oysters. U. S. * * * v. 4 Cases and 2 Cans of Oysters. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7009. I. S. Nos. 1481-1, 1482-1, 1483-1, 1484-1. S. No. E-467.)

On October 28, 1915, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 4 cases and 2 cans of oysters, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped and transported from the State of Rhode Island into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel of information for the reason that it consisted in part of a filthy, putrid, and decomposed animal substance.

On November 23, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4641. Adulteration of oysters. U. S. * * * v. 150 Pint Bottles of Oysters. Default decree of condemnation, forfeiture, and destruction.
(F. & D. No. 7010. I. S. Nos. 1486-1, 1487-1, 1488-1, 1489-1, 1490-1, 1491-1, 1492-1. S. No. E-469.)

On October 27, 1915, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 150 pint bottles of oysters, remaining unsold in the original unbroken packages at Worcester, Mass., alleging that the article had been shipped and transported from the State of Rhode Island into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel of information for the reason that it consisted in part of a filthy, putrid, and decomposed animal substance.

On November 23, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, Acting Secretary of Agriculture.

4642. Adulteration of chestnuts. U. S. * * * v. 9 Bags of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7013. I. S. No. 1234-I. S. No. E-453.)

On October 29, 1915, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 bags of chestnuts, remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped, on or about October 26, 1915, and transported from the State of Virginia into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled, in part: "From J. P. Hattie, Tyro, Va."

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a filthy, putrid, and decomposed vegetable substance, in that the chestnuts were wormy, worm-eaten, and moldy.

On November 22, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4643. Adulteration of oysters. U. S. * * * v. 5 Barrels of Oysters. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7014. I. S. No. 1939-1. S. No. E-463.)

On November 4, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 barrels of oysters in the shell, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped, on or about November 2, 1915, and transported from the State of New Jersey into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in particular [part] of a partially filthy, decomposed, and putrid animal product, to wit, polluted oysters.

On November 30, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4644. Adulteration of coriander seed. U. S. * * * v. 1 * * * Sack * * * of Coriander Seed. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7017. I. S. No. 10318-L. S. No. C-383.)

On November 13, 1915, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 sack, containing 100 pounds, more or less, of coriander seed, remaining unsold in the original unbroken package at Faribault, Minn., alleging that the article had been shipped on October 8, 1915, and transported from the State of Missouri into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act.

The allegations in the libel were to the effect that the article was adulterated in that it consisted, in whole or in part, of a filthy, decomposed, or putrid animal or vegetable substance.

On April 24, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4645. Adulteration and misbranding of aspirin. U. S. * * * v. 222 Bottles * * * Aspirin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7018. I. S. Nos. 11327-1, 11328-1, 11329-1. S. No. C-385.)

On November 13, 1915, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 222 bottles, more or less, containing 100,000 tablets, more or less, of an article purporting to be aspirin, remaining unsold in the original unbroken packages at Columbus, Ohio, alleging that the article had been shipped and transported from the State of Maryland into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. Sixty-six of the bottles were labeled: "R. Burrough 1000 Compressed Tablets Aspirin 5 Gr. Burrough Bros. Mfg. Co., Baltimore, Md." One hundred and ten of the bottles were labeled: "R. Burrough 100 Compressed Tablets Aspirin 5 Gr. Burrough Bros. Mfg. Co., Baltimore, Md." Forty-six of the bottles were labeled: "500 Compressed Tablets Aspirin, 5 Grs. Guaranteed by Burrough Bros. Mfg. Co. under the Food & Drugs Act, June 30, 1906, No. 2085, Burrough Bros. Mfg. Co., Baltimore, Md."

It was charged in substance in the libel that the article was adulterated for the reason that its strength and purity fell below the professed standard or quality under which it was sold, in that sugar of milk, acetanilid, salicylic acid, and salts had been substituted, in whole or in part, for aspirin.

Misbranding was alleged for the reason that the bottles and packages purported to contain aspirin only by reason of statements on the labels, whereas, in truth and in fact, said labels were false and misleading in that the product or drug had but little or no aspirin as an ingredient thereof. Misbranding was alleged for the further reason that the drug was an imitation of, and was offered for sale under the distinctive name of, [another article, to wit,] aspirin, and for the further reason that the labels failed to bear a statement of the quantity and proportion of acetanilid contained therein.

On February 21, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, Acting Secretary of Agriculture.

4646. Adulteration of canned pork and beans. U. S. * * * v. 93 Cases of Pork and Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7019. I. S. No. 10486-1. S. No. C-384.)

On November 15, 1915, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 93 cases, each containing 48 cans, of pork and beans, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped, on or about October 20, 1915, and transported from the State of Michigan into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The cans were labeled, in part: "Elk Brand Pork & Beans, with Tomato Sauce. We positively guarantee the quality of all goods packed under our Elk Brand. Contents 11 oz. Elk Brand." (On one side of can: design of head of an elk.) (On other side of can: design of a dish of beans.)

The allegations in the libel as to adulteration were to the effect that the article consisted of a partially decomposed vegetable substance and was unfit for use as food.

On March 8, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4647. Adulteration of tomato pulp. U. S. * * * v. 90 Cases * * * of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7021. I. S. No. 11525-1. S. No. C-377.)

On January 27, 1916, the United States attorney for the Northern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district Court of the United States for said district a libel for the seizure and condemnation of 90 cases, more or less, each containing 48 cans, of tomato pulp, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on September 30, 1915, and transported from the State of Indiana into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that when it was so shipped as aforesaid it consisted in part of a filthy vegetable substance, for the further reason that it consisted in part of a decomposed vegetable substance, and for the further reason that it consisted in part of a putrid vegetable substance.

On April 15, 1916, no claimant have appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4648. Misbranding of "Circle C Molasses Feed." U. S. * * * v. Cairo Milling Co., a corporation. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 7026. I. S. No. 3191-h.)

On February 18, 1916, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Cairo Milling Co., a corporation, Cairo, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 2, 1914, from the State of Illinois into the State of Florida, of a quantity of "Circle C Molasses Feed," which was misbranded. The article was labeled: (On bag) "100 lbs. Circle C Stock—A high grade feed made from corn and oats, their products and alfalfa meal and molasses, Cairo Milling Co., Cairo, Ill." (On tag) "100 lbs. Circle C Molasses Feed, made from ground corn and oats their products, alfalfa meal and molasses. Guaranteed analysis: Protein 10.50%; Fat 2.50%; fibre 12.00%; carbohydrates 55.00%, manufactured by Cairo Milling Co., Cairo, Ill."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Moisture (per cent)-----	5.84
Ether extract (per cent)-----	2.46
Protein (per cent)-----	9.63
Crude fiber (per cent)-----	15.06

Misbranding of the article was alleged in the information for the reason that the following statement regarding it and the ingredients and substances contained therein, appearing on the label of the tag aforesaid, to wit, "Guaranteed analysis: Protein 10.50%; * * *; fibre 12.00%," was false and misleading in that it indicated to purchasers thereof that the article contained 10.50 per cent of protein and 12.00 per cent of fiber, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers thereof into the belief that it contained 10.50 per cent of protein and 12.00 per cent of fiber, when, in truth and in fact, it did not, but contained a less percentage of protein and a greater percentage of fiber, to wit, 9.63 per cent of protein and 15.06 per cent of fiber.

On April 3, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4649. Adulteration of tomato ketchup. U. S. * * * v. 80 Cases, 8 Barrels, and 24 Jugs of * * * Tomato Ketchup. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 7927. I. S. Nos. 10796-1, 10797-1, 10798-1. S. No. C-386.)

On November 15, 1915, the United States attorney for the Eastern District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 60 cases, each containing 4 dozen bottles, 8 barrels, each containing 22 dozen bottles, 20 cases, each containing 2 dozen bottles, and 4 crates, each containing 6 jugs, of tomato ketchup, remaining unsold in the original unbroken packages at Covington, Ky., alleging that the article had been shipped and transported from the State of Ohio into the State of Kentucky, and charging adulteration in violation of the Food and Drugs Act. The 20 cases referred to were labeled: (On ends of cases) "2 Doz. Tomato Catsup. A. W. Colter Canning Co. Mt. Washington, Ohio." (On top of cases) "Glass This Side Up." The bottles in these cases were labeled: (Neck label) "Contains no Chemical Preservative." (Main label on bottle) "Contents 15 oz. Avoirdupois The C Trade Mark Colter Tomato Catsup Not Artificially Colored Prepared with Pure Spices, Salt, Onions and Granulated Sugar. The A. W. Colter Canning Co. Mt. Washington, O." The 60 cases were labeled: (On end of cases) "4 Doz. Tomato Catsup A. W. Colter Canning Co. Mt. Washington, Ohio." (On top of cases) "Glass this side up." The bottles in these cases were labeled: (Neck label) "Contains no Chemical Preservative." (Main label on bottle) "Contents 6 oz. Avoirdupois The C Trade Mark Colter Tomato Catsup Not Artificially Colored Prepared with Pure Spices, Salt, Onions and Granulated Sugar The A. W. Colter Canning Co. Mt. Washington, O." The jugs were labeled: (Pasted on jug) "The C Trade Mark Colter Tomato Catsup Not Artificially Colored Prepared with Pure Spices Vinegar, Salt, Onions, and Granulated Sugar. The A. W. Colter Canning Co., Mt. Washington, O. Contains 1-10 of 1% Benzoate Soda." (Stamped with rubber stamp) "Contents 9 lbs." The barrels and the crates containing the jugs were not labeled.

Adulteration of the article was alleged in the libel for the reason that it contained, and in part consisted of, a decomposed vegetable matter.

On December 6, 1915, the A. W. Colter Canning Co., Mount Washington, Ohio, claimant, having admitted the allegations in the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal, and that the containers thereof should be delivered to said claimant after destruction of the product, and that said claimant should pay the costs of the proceedings.

C. F. MARVIN, *Acting Secretary of Agriculture.*

4650. Adulteration of oysters. U. S. * * * v. 50 Gallons of Oysters. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7028. I. S. Nos. 1466-1, 1467-1, 1468-1, 1469-1, 1470-1, 1471-1, 1472-1, 1473-1, 1474-1, 1475-1, 1476-1, 1477-1, 1478-1, 1479-1. S. No. E-466.)

On October 27, 1915, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 50 gallons of oysters in 3-gallon, 1-gallon, quart, and pint containers, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped and transported from the State of Rhode Island into the State of Massachusetts, and alleging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel of information for the reason that it consisted in part of a filthy, putrid, and decomposed animal substance.

On December 3, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

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